

THE
WESTMINSTER
REVIEW.

JANUARY AND APRIL,
1870.

“Truth can never be confirm’d enough,
Though doubts did ever sleep.”

SHAKESPEARE.

Wahrheitsliebe zeigt sich darin, daß man überall das Gute zu finden und zu schätzen weiß.
GOETHE.

NEW SERIES.
VOL. XXXVII.

LONDON:
TRÜBNER & CO., 8 & 60, PATERNOSTER-ROW.
MDCCCLXX.

LONDON :
SAVILL, EDWARDS AND CO., PRINTERS, CHANDOS STREET,
COVENT GARDEN.

CONTENTS.

ART.	PAGE
I. <i>Unpublished Letters written by Samuel Taylor Coleridge</i> in 1815-16. Part II.	
II. <i>Indian Taxation: Lord Cornwallis's Land Settlement</i>	24
III. <i>The Nationality Question in Austria.</i>	
1. Österreich und die Burgschaften seines Bestandes (Austria, and the Guarantees of its Stability). By Dr. ADOLPH FISCHOFF. Second Edition. Vienna. 1870.	
2. Revue des Deux Mondes. 1 ^{re} Août, 1868. Article, "L'Allemagne depuis la Guerre de 1866." Par M. EMILE DE LAVELAYE	35
IV. <i>The Future of the British Empire</i>	47
V. <i>Shelley.</i>	
The Poetical Works of Percy Bysshe Shelley. A revised Text, with Notes and a Memoir. By W. M. ROSSSETTI. 2 vols. Moxon & Co. 1870	75
VI. <i>Colonial and American Pauperism.</i>	
1. Pauperism of New South Wales. Being a Paper read by ALFRED ROBINSON, M.D. December 9th, 1868.	
2. The Sixteenth Annual Report of the Directors of the Society for the Relief of Destitute Children. Sydney. 1868.	
3. The Eighteenth Annual Report of the Committee of Manage- ment of the Benevolent Asylum. Melbourne. 1868.	
4. The Fifteenth Annual Report of the Immigrants' Aid Society of Victoria. Melbourne. 1868.	
5. The Tenth Annual Report of the Committee of Management of the Ballarat Benevolent Asylum. Ballarat. 1868.	

6. The Annual Statement of the Guardians for the Relief and Employment of the Poor of the City of Philadelphia. Philadelphia. 1869.
7. The Ninth Annual Report of the Committee of Public Charities' Aid Correction. New York. For the Year 1868.
8. Reports of the New York Association for Improving the Condition of the Poor 98

VII. *Roman Catholicism: Present and Future* . . . 116

Contemporary Literature.

Theology and Philosophy	161
Politics, Sociology, Voyages and Travels	177
Science	193
History and Biography	200
Belles Lettres	216

THE
WESTMINSTER
AND
FOREIGN QUARTERLY
REVIEW.

JANUARY 1, 1870.

ART. I.—OUR COLONIAL EMPIRE.

1. *The History of the United States of America, from the Discovery of the Continent to the Organization of Government under the Federal Constitution.* By RICHARD HILDRETH. In three volumes. New York : 1849.
2. *Twelfth General Report of the Colonial Land and Emigration Commissioners.* Presented to both Houses of Parliament by command of Her Majesty. London : 1852.
3. *The Statesman's Year-Book ; a Statistical, Mercantile, and Historical Account of the States and Sovereigns of the Civilized World. A Manual for Politicians and Merchants.* By FREDERICK MARTIN. Sixth Annual Publication. Second Edition. London : 1869.
4. *Twenty-ninth General Report of the Emigration Commissioners.* Presented to both Houses of Parliament by command of Her Majesty. London : 1869.

THE relations actually subsisting and those which ought to subsist between Great Britain and her Dependencies have been for some time attracting to themselves a wider and deeper share of public attention in all portions of the Empire. Among politicians of every party, whether in this country or in the colonies, the opinion appears to be rapidly spreading and gaining ground, that the various and complicated problems to which during the last quarter of a century at the least the course of our colonial policy and the current of colonial events have given rise and brought into prominence, have at length assumed a form and attained to a magnitude which render it both de-

[Vol. XCIII. No. CLXXXIII.]—NEW SERIES, Vol. XXXVII. No. J. B

sirable and necessary that they should be speedily, definitely, and finally solved. It is in the conviction that upon the solutions which shall be found and accepted for these problems must in great measure depend not only our future position as a nation, but also the importance of the part our race is destined hereafter to sustain in the playing out of the mighty drama of human history, that we are earnestly desirous to bring the subject before us once more under the notice of our readers.

Seventeen years ago an article with the same title as the present one appeared in the pages of this Review.* It was the work of a contributor in whose premature death we have since had to deplore the loss of a man of rare wisdom and virtue, an enlightened and sincere labourer for the public good.† The article, when first published, appeared too early to excite any great and general interest in the subject to which it relates; but now that the views which it expresses are likely to attract the attention of a large number of thoughtful readers, and as we think those views eminently sound and just, peculiarly appropriate to the existing conjuncture of affairs, and expressed in a form not likely to be surpassed—perhaps not equalled—we feel that we are performing a public duty in venturing to reproduce the paper on this occasion nearly in its original shape.‡ The preliminary portion of it, relating to emigration, and other portions of it relating to the statistics of Colonial Trade and Population, it has been requisite to recast or rewrite. But in other respects it remains in the condition in which it was published in 1852—a lasting monument to the sagacity and forethought of the author. We adopt this somewhat unusual course with the less hesitation because we feel conscious that the writer's decease will free us in adopting it from all suspicion of egotism on the one hand, or of flattery on the other.

Our Colonial Empire covers about a third of the earth's surface, and contains nearly a fourth of mankind. Its area is more than thirty times as extensive, and its population is more than five times as numerous, as those of the United Kingdom. It is

* *Westminster Review*, New Series, No. IV., October, 1852.

† Mr. John Chapman died suddenly of cholera on September 11, 1854, while engaged in writing the article entitled "The Sphere and Duties of Government," which was published in the number of this Review for October, 1854. A note, referring to the circumstances of his death, and mentioning the article which he contributed to *The Westminster Review*, is prefixed to that article. He was also the author of an important work on "The Cotton and Commerce of India."

‡ That we are not singular in our opinion of this article, we have evidence in the fact, that it has been recently reprinted in Canada by a leading politician in the Dominion, who has ascribed its authorship to Mr. Gibbon Wakefield.

estimated in the latest accessible official returns (in which, however, considerable discrepancies are noticeable) that its area is somewhat under 4,750,000 of square miles, and its population is somewhat over 155,000,000 of persons. Of this vast dominion almost 1,000,000 square miles are in India, more than 2,500,000 square miles are in Australasia, and more than 600,000 square miles are in North America. The population of British India is nearly 145,000,000, of British North America nearly 4,500,000, and of Australasia nearly 1,700,000. Our possessions in the West Indies (including Tropical America), the Cape (including Kaffraria), and Ceylon, have together an aggregate area of about 460,000 square miles, and an aggregate population of about 3,730,000 persons.

In 1868 the whole of our export trade was valued at 179,463,644*l.*, of which sum 49,779,563*l.* represented the value of British and Irish produce and manufactures exported to our colonies and dependencies. Of this latter total, British India was the recipient of goods to the amount of 21,211,343*l.*, leaving 28,568,220*l.* as the value of goods distributed among our forty-five remaining possessions. Assuming their population to be about 10,000,000, they were our customers on an average to the extent of about two pounds sixteen shillings a head. But the items from which this average is derived exhibit very unequal proportions. While the consumption of our goods per head of the population was in Australasia over eight pounds sterling, in British North America it was not more than twenty-seven shillings, in the Cape including Kaffraria, and the West Indies including Tropical America, not more than twenty shillings, and in Ceylon not more than twelve shillings. Our colonial export trade for 1868 showed a falling off of 0·4 per cent. on 1867, which again showed a falling off of 7 per cent. on 1866.

In 1868 our whole import trade was valued at 295,290,274*l.*, a rise of 7·4 per cent. over 1867. The imports from British possessions were valued at 67,018,313*l.*, a rise of 10·3 per cent. over the previous year, of which British India supplied 30,071,866*l.*, or about 4500*l.* more than the year before.

According to the Twenty-ninth Report of the Emigration Commissioners, there emigrated from the United Kingdom in the fifty-four years, 1815–1868 inclusive, 6,498,670 persons. Of these the United States received 4,073,596; British North America, 1,322,585; Australasia, 956,457; and other places, 146,032. The average annual emigration for the whole period was 120,345, and for the last ten years of it 170,150. The highest figure reached was in 1852, when 368,764 persons emigrated—244,261 to the United States, 32,873 to British North America, 87,881 to Australasia, and 3749 to other places. In

the first year of the series the number was 2081, and in the last year it was 196,325, of whom 155,532 went to the United States, 21,062 to British North America, 12,809 to Australasia, and 6922 to other places. The most remarkable feature in the return for 1868 is the smallness of the number of persons who are stated to have emigrated to Australasia. It was less by 1657 than the number in 1867, less by 11,288 than the number for 1866, and considerably less than the number for any year since 1847. In the twenty years, indeed, 1848-1868 inclusive, an average of 40,717 persons has proceeded from the United Kingdom to Australia and New Zealand in each year. The opening up of the Australasian gold fields accounts for the enormous extension of emigration to those colonies in which they are situated in 1852, and two or three succeeding years. But it is not altogether easy to discover the reason for the striking and constant diminution which has since taken place in it. Of course, the comparative proximity of the United States and British North America, and to some degree political considerations in the case of the former, will always determine the selection of a large proportion of emigrants from these islands in their favour. But the chief ground for the recent decrease in emigration to Australasia is, no doubt, the suspension or modification of the system of free and aided passages, which was formerly in force.

"Emigration by means of colonial funds," says the Report, "has been confined during the past year almost entirely to persons nominated in passage warrants issued by the Colonial Government of Victoria, and to single women selected by ourselves. We were unable from want of funds to despatch any ships during the first five months of the year, but between the 8th of June and the 23rd of November we despatched six vessels, carrying altogether 2787 souls. In pursuance of the wishes of the Colonial Government, we made arrangements in November for handing over the emigration to the Agent General for Victoria on the 1st of December last. But as Mr. Verdon subsequently informed us that he was not prepared to undertake it, we continued, in order to prevent loss and delay to the holders of passage warrants, and inconvenience to the colonists, to engage vessels, and fill them with the required classes of emigrants. In consequence, however, of later advices from the Colony, the conduct of future emigration to Victoria will be transferred to the Colonial agent on the 1st of next month.

"New South Wales does not at present promote immigration by means of its public funds; and the emigrants (520) we sent out to Sydney last year were the holders of remittance certificates dated previous to the 14th of December 1867, when the issue of these documents was stopped by the Colonial authorities.

"The Legislature of South Australia passed a vote for the purposes of emigration in 1868, but no emigrants were selected for passages to Adelaide last year. We have recently sent out, *via* Melbourne, a few persons who had previous outstanding claims for passages to this colony.

"To Western Australia we have sent out 140 emigrants, of whom 109 were adult females. The cost of this emigration is defrayed out of the parliamentary vote.

"Emigration to Queensland was renewed in the autumn, under the arrangements of the Colonial Government, by which passages on payment of about half the cost are granted to married couples and single men, and free passages to single women. We understand that since the renewal of the emigration two ships only had, up to the beginning of last month, been despatched to Queensland, conveying 485 passengers in all. Of these, 159 paid full passage money; 103 were assisted; and 115 only, principally domestic servants, received free passages.

"The assisted emigration to New Zealand has been confined to the provinces of Auckland, Wellington, Canterbury, and Otago. The number of emigrants despatched by the emigration agents in this country to the several provinces has been:—Auckland 6, Wellington 186, Canterbury 557, and Otago 552 = 1301."—*Twenty-ninth General Report*, p. 6.

It seems also that since 1863, the general emigration from the United Kingdom, and especially from Ireland, has been markedly diminishing, although its apparent magnitude has been kept up by the increased number of foreigners who at present emigrate through this country. Multitudes of Germans, Swedes, and Danes are now periodically landed at Hull, whence they pass by rail to Liverpool, and there embark principally for the St. Lawrence and New York. These facts are illustrated by the Commissioners in the following table:—

Year.	English.	Scotch.	Irish.	Foreigners.	Not distinguished.	Total.
1863	61,243	15,230	116,391	7,833	23,061	223,758
1864	56,618	15,035	115,428	16,942	4,877	208,900
1865	61,345	12,870	100,676	28,619	6,291	209,801
1866	58,856	12,307	98,890	26,691	8,138	204,882
1867	55,494	12,866	88,622	31,193	7,778	195,953
1868	58,268	14,954	64,965	51,956	6,182	196,325

Thus it appears that foreign emigrants who in 1863 formed only 3 per cent. of the whole emigration from the United Kingdom, in 1868 formed more than 26 per cent., while the Irish,

who in the former year formed 60 per cent. of it, in the latter formed only 47 per cent. Without affirming that the two phenomena stand directly in the relation to each other of effect and cause, it is unquestionable that poor rates have increased, during the last six years, as steadily as emigration has decreased. Although the Poor-Law Guardians are empowered to conduct emigration out of the rates, subject to the control of the Poor-Law Board, we find that in the year 1868 only thirty-two persons received assistance to emigrate in this manner. It is matter for inquiry how far it might not be wise by systematic and public means to render the excess of population at the heart available at the scantily peopled extremities of our empire. We are, as a rule, opposed to State interference where private enterprise alone is at all likely to be successful; but we cannot resist, having regard to the present aspect of the subject of emigration, the following reasoning of Mr. Mill:—

“The question of Government intervention in the work of colonization,” he says, “involves the future and permanent interests of civilization itself, and far outstretches the comparatively narrow limits of purely economical considerations. But even with a view to those considerations alone, the removal of population from the overcrowded to the unoccupied parts of the earth’s surface is one of those works of eminent social usefulness which most require, and which, at the same time, best repay the intervention of Government.

“To appreciate the benefits of colonization it should be considered in its relation not to a single country but to the collective economical interests of the human race. The question is, in general, treated too exclusively as one of distribution—of relieving one labour-market and supplying another. It is this, but it is also a question of production, and of the most efficient employment of the productive resources of the world. Much has been said of the good economy of importing commodities from the place where they can be bought cheapest, while the good economy of producing them where they can be produced cheapest is comparatively little thought of. If to carry consumable goods from the places where they are superabundant to those where they are scarce is a good pecuniary speculation, is it not an equally good speculation to do the same thing with regard to labour and instruments? The exportation of labourers and capital from old to new countries, from a place where their productive power is less, to a place where it is greater, increases by so much the aggregate produce of the labour and capital of the world. It adds to the joint wealth of the old and the new country, what amounts in a short period to many times the mere cost of effecting the transport. There needs be no hesitation in affirming that colonization,

in the present state of the world, is the best affair of business in which the capital of an old and wealthy country can engage.

"It is equally obvious, however, that colonization on a great scale can be undertaken, as an affair of business, only by the Government, or by some combination of individuals in complete understanding with the Government, except under such very peculiar circumstances as those which succeeded the Irish famine. Emigration on the voluntary principle rarely has any material influence in lightening the pressure of population in the old country, though, as far as it goes, it is doubtless a benefit to the colony. Those labouring persons who voluntarily emigrate are seldom the very poor: they are small farmers with some little capital, or labourers who have saved something, and who, in removing only their own labour from the crowded labour-market, withdraw from the capital of the country a fund which maintained and employed more labourers than themselves. Besides, this portion of the community is so limited in number, that it might be removed entirely without making any sensible impression upon the number of the population, or even upon the annual increase. Any considerable emigration of labour is only practicable when its cost is defrayed, or at least advanced, by others than the emigrants themselves." And he adds that "One of the principal reasons why colonization should be a national undertaking is, that in this manner alone, save in highly exceptional cases, can emigration be self-supporting."—*Principles of Political Economy*, People's Edition, pp. 586, 587.

"It is not from the present magnitude of the colonies, or of any of their interests, that we can draw true measures either of their real value to ourselves, or of the gravity of the questions which will necessarily arise out of the connexion. The whole of our former North American colonies, now constituting, as far as they go, the United States, contained in 1700 a population of say 400,000; in the middle of the century they had reached to 1,000,000; at the time of the separation from Great Britain, 1783, they approached to 3,000,000, or less than one-third the population of our present colonies. They are now 31,000,000. Every considerable cause which has operated to increase the population of the countries now forming the United States, with some in addition, is likely to operate to equal effect in the case of our present colonies. Australia itself is practically not more distant, and is certainly much better known to our industrial population now, than the continent of North America was fifty years ago. Gold now beckons on the adventurous, while only reclaimable woods, or virgin prairies, offered formerly the principal inducements. Multitudes now seek from the down-

trodden countries of Europe the freer rule of the Anglo-Saxon, whether under the crown of England or the stars of America, who last century bore the iron yoke of a decrepit feudalism, in hereditary and unawakened submission.

"In twenty years, therefore, or in ten, we shall probably have not stripling communities, but strong states to deal with. In 1783, the United States were able to separate from us, they numbering 3,000,000, and we 13,000,000. Our colonies have now 10,000,000 and we are 30,000,000. They have not indeed the advantage of mutual contiguity, and therefore, of acting together, which the Americans had; nor have they that local military organization and experience which the Americans had been left to acquire; but, in other respects, they are equally capable of becoming independent; and, in one important circumstance, the chance of effecting such a change is greater now than then: public opinion in England long supported the British government in its contest with the Americans, but it certainly would not now endure either the cost of a serious contest with colonists on doubtful grounds, or even the putting of a severe strain on admitted principles to their serious umbrage. If we are to retain any supremacy over our colonial congeners, it cannot now be by force; it can only be by a just and judicious working out of concurrent interests, through a clear appreciation and admission of common rights.

"It is, indeed, a disputed point whether England gains or loses by her colonial empire. Strict economists, reasoning from tangible interests alone, say that we should be as well without it; others, professing to take a wider view of the subject, affirm that it brings us many advantages besides those which can be computed, and that these incomputable advantages turn the scale greatly in its favour. This seems to be one of many questions of which the determination gives us little control over events. Profitable or not, we shall have colonies, by force of tendencies which do not wait for calculation of public effects, unless, indeed, we abandon principles held sacred by every civilized community, and which are not less essential to our own coherence and mutual confidence as a people at home, than to the case of our fellows who form colonies abroad. All that seems to be left to us is to inquire into the true nature of colonial relations, and to conform in practice to what we may thus learn.

"It is not the termination of former disputes, nor even the surrender on our part of the points on which they turned, that will afford us immunity from future disagreements. Time evolves new and unanticipated questions, and some old ones may be taken up reversely by former disputants. Some questions are

still obscure ; many, probably, are not yet raised. Without going over our whole colonial experience for examples, we may gather enough for our present purpose of caution from the history of the main question on which, ostensibly at least, our American colonies separated from us.

"The important communities which now form part of the United States had ever admitted, while they were British colonies, the right of the British Parliament to bind them : and to the authorities in England they often appealed in their internal disputes, as well as for external defence. Amongst other powers which they acknowledged to reside in the parliament, was that of regulating, restricting, and limiting their commerce. However they might complain of the pressure, or however, as in Sir Robert Walpole's time, their irregularities might be judiciously connived at, they never denied the right of parliament to impose such laws upon them ;—but they resisted to the death the attempt to tax them. Commerce was restricted, and manufactures, to a great extent, prohibited ; but they took such relief as smuggling could afford, without any serious constitutional questioning of the power under which they were suffering.

"The men who resisted to blood and severance a tax too light for any purpose but a test of principle, sanctioned by recognition, when not by obedience, restraints which crippled and embarrassed the whole course of their industry. The loftiest claims of parliamentary supremacy in the regulation of trade, and the most selfish exclusiveness of manufacturing jealousy, were often found side by side in England with the most energetic denial of the right of parliament to tax the colonies. The same strange association of contrarieties was equally found in the colonies themselves ; and they who bowed, however stiffly, to the law which in necessary effect deprived them of 50*l.*, rose in deadly indignation against the tax which took from them but a poor five shillings.

"Now, if we compare the state of opinion then prevailing with that of the present time, we can hardly fail to be struck with the change in the relative importance assigned to these two questions. Except, perhaps, amongst the more constant or least reflecting of the protectionist remnant, there are few now who will not assert that assurance of commercial freedom is at least as important in its effect on the general welfare, as perfect formal constitutional immunities in respect of taxation ; and some will assign to it by far the greater weight. To have given up the right of taxing the colonies, supereminent as the question once seemed, is now by no means a security against the recurrence of differences as fatal to the colonial relation as those which separated from us the United States ; and while growing experience and new interests work irresistible changes in public opinion both here and in the

colonies, we are concurrently warned by this pregnant instance that whole classes of questions may arise whose importance we cannot estimate beforehand, and possibly of whose nature we have yet no conception.

"It is worth while, in this view, to pursue the American question somewhat further. The colonies were partly settled by, and they received their chief impress from, men who had shared in England in the vehement disputes respecting the taxing power of the crown. Taxation seemed to those generations the great and almost only question of political right; and they who justly resisted the arbitrary imposts of Charles, could see the most violent interferences with industry and private right, as now understood,—nay, they could even endure the remaining existence of personal slavery in England,—without deeming them more than questions of mere policy and regulation. This question was settled at the Revolution in respect of England as against the crown; from the date of that event the public mind was occupied with other matters, until the American disputes revived the debate; and then 'taxation without representation,' was adopted both in England and America as the great formula of grievance;—just as though a government, whatever its form, may not infringe natural right in many other matters quite as flagrantly as in that of taxes, and to far greater practical injury. So tenacious, however, is the vitality of dogma, that to this day an American fires up at the bare idea of a contribution to common expenses under the name of taxes, while he hugs delightedly the chains of his commerce.

"To point out the accident by which this pre-eminence was given to the question of taxation, is also to show the unfitness of that question as a test of colonial liberty, and of its settlement as a sufficient cause of colonial contentment. Our kings, who outstretched in expense their dilapidated feudal revenue, sought to govern as they pleased against the will of the opulent classes, who then called themselves the people. To limit the purses of these kings was to limit their power; and hence the prominence of taxation in English domestic politics and English theories of government. But the case is essentially altered when the power of England over the colonies is considered, instead of the power of the king in the local transactions of England. To refuse the colonial purse to the mother country is not, as in the case of the king, to cut off the resources of evil rule. These resources may be, and in fact are drawn, in the case in question, from other quarters; and by means of wealth and power thus independent in their origin, immense injustice may be inflicted on the colonies, or on any one of them. The check which is effectual in one case, is no check at all in the other. 'Taxation without

representation' was a formula omnipotent in the American case only by chance; it was really very inferior to the occasion, and moreover somewhat out of place.

" 'Somewhat out of place;' for, at a period not very long before their own uprising, some of the men most conspicuous in it were parties or witnesses in proceedings at least as incompatible with liberty as 'taxation without representation' could be. They suppressed by public force all discussion inimical to the views of the local party in possession of the colonial government at the time;—they had as yet little or no true religious liberty;—they were ever ready to pledge the wealth of their fellow citizens to sustain paper issues lent in great part to favourites, and to murmur at English interference, when this baneful practice was restrained by orders from home;—the separation of the legislative from the executive functions, and the permanence and independence of the judicial authorities, they either did not value, or at least took no care to preserve;—their colonial constitutions, framed very much according to their own views, did not make representation co-extensive with taxation, amongst themselves;—in short, in everything but the one matter of taxation, they had no clearer views of liberty, or no greater care for it, in subjects entirely under their own control, than that which may be supposed to have actuated any British functionary set over them. This, however, is judging them in part by the standard which our own experience, as well as theirs, has since set up; and this reservation is of great importance to our argument.

" 'Out of place' again,—for the refusal to bear a share of the imperial taxation was in fact a refusal to bear a share of expenses incurred in great part for the advantage of the colonists themselves. They deemed the French at least as much their enemies in America as England did hers in Europe; and from them they suffered much encroachment and annoyance on their frontiers; moreover, they were as tenacious of questions of boundary even amongst themselves, as any old and aristocratic country could be, and frequently appealed to England in those disputes; much more did they look to England for repression of French intrusions. The war of 1756 was undertaken in great part for that purpose, although after the usual fashion of troublous times, other causes of quarrel soon clustered round the original difference. In this war, which ended in the entire and final deliverance of the colonists from those old and dreaded enemies, England spent some 240 millions sterling; and although the colonists made, in addition, considerable exertions on their own behalf, yet in a case where they had called on a parliament in which they were not represented, for aid which was rendered them at vast expense, it can hardly be said that they had the

most fitting occasion for the assertion of the traditionary dogma which limited taxation to the extent of the representation. And so it seems the public of England at that time thought; for, smarting with unaccustomed burdens, they supported, through the mere impulse of common sense, the ministries who successively endeavoured without effect (and certainly, indeed, with little of either skill or kindness) to obtain some adequate contribution from those who had been specially benefited by the outlay. It might not be technically constitutional, but it at least looked just and natural, that, represented or not, the colonists should assist in paying for what they had so earnestly solicited, and then so largely enjoyed; and no doubt, but for the influence, as in all other cases of violent disagreement, of exasperating incidents, foreign in nature to the original difference, the dispute would have been settled on rational grounds.

“ Yet the Americans had their side of the question also; for there was no amount of interference with their liberties which might not be rendered easy, if the imperial government were permitted to tax the people of the colonies at its pleasure. It is true the British parliament were admitted to be supreme in legislation; but this theoretical power of controlling the internal economy of the colonies, as well as their external relations, was checked by the impossibility of obtaining funds for executing unpopular measures, except by taxing the people of England, who would thus be stirred to take (advantageously for the colonies) a part in the dispute; but if unlimited funds could be drawn from the colonies by the power of the same distant parliament which claimed to legislate for them, there seemed to be no limit to the control which might be exercised where the colonists had no voice but that of half-informed, irregular, and fleeting political friends, or of agents who had no arena in which, of *right*, to debate their case on facts as they arose.

“ Moreover, if the case of the colonists was incongruous and imperfect, it was not, as far as it went, untrue. They had much to learn, of which, like their English cotemporaries, they were yet unconscious. The co-extensiveness of taxation and representation, if not the chief or exclusive mark of free government which it then seemed, is at least one principle amongst those of which any sufficient and permanent system of government must eventually come to be composed; and if practical liberty, as affected by the colonial authorities themselves, was scarcely so far advanced at that time in the colonies as even in England, still the energetic practical use, on so great a scale and with so conspicuous a result, of the one chief lesson they had up to that time learned, was the best possible beginning of the advance which America has since made in further principles of freedom,

and of that in which England itself has proceeded to the same intent, with more than equal steps.

"Deducing from these facts no moral disparaging to the revolutionary fathers of our transatlantic compeers, we draw from them an emphatic caution to ourselves. Neither similarity of race, nor close personal connexions widely ramified through both countries, nor a strong party in favour of the pretensions of the mother country, nor, in some views, the obvious justice of those pretensions, nor a nearer agreement in general principles of government, nor a strong disinclination to separate existing at the beginning of the contest,—none of these things, nor all of them, sufficed to withstand the disruptive forces which a single question and its concomitants brought into play. We can hardly, indeed, attribute the effect to that one question: much more likely does it seem that the interference of England with the trade and manufactures of the colonies, ever felt in detail as a wrong, though formally admitted as constitutional in the gross, gave to separation its reconciling advantages. The perpetual galling of even recognised authority in matters which the inner sense of men assures them no such authority should trammel, is sure to obliterate in time the outward acknowledgment of merely conventional powers.

"Sentimental influences, respectable and potent in their way, did still less than substantial interests to preserve the unity of the empire. Loyalty to the crown (once as rife in America as in England), the dignity of forming part of the wide-spread British dominion, the hereditary glory of arms or literature, identity of tongue or community of science,—these may either be so far preserved under new circumstances as to offer little impediment to separation, or they will give way before grievances or interests, real or supposed, which affect men's actual affairs. They have all given way under pressure, and we may expect them to give way again.

"The American revolutionary war, indeed, left on our colonial system traces of its action too deep to be disregarded. Yet these, instead of securing us against dissension, seem rather likely to promote it, only in a contrary sense. We have given up the power of taxing the colonies, but we retain the obligation of defending them, and it is no unreasonable question for the Lancashire spinner or the Kentish farmer to ask, why he and his fellows are to pay for defending the Cape Territory from Caffres, or for preserving fishing bays for the Canadian against the Yankee. Where is the community of interest to require community of cost? Nay, what is the speciality of interest on the side of the English taxpayer, that on him should be laid the chief or only contribution? Questions like these, acquiring

magnitude and weight from the extension of the colonial interests to be defended, can hardly fail, if left unanswered, to lead the mother country to seek a separation, rather than, as heretofore, the offshoot.

"From experience, then, we have not yet elicited the devices which may hold a colonial empire together. On questions already debated, we may have, as on slavery and transportation, complete transformations of opinion or reversals of interest. The unfoldings of the future may confront us with questions not yet encountered, perhaps of kinds not yet even imagined. All hope of governing the colonies by formulæ seems futile, while practical statesmen of every party fail in the oft-tried task. The Whigs lost us America notwithstanding their principles,—the Tories must have lost it by the very virtue of theirs. Both Whig and Tory, probably acting with unimpeachable intentions, alike leave in Downing-street the memorable marks of their colonial failures.

"If a course of policy has so long been fruitful chiefly in disappointments, while the great stream of progress on which it attends has derived its strength mainly from other causes, it cannot be too soon to review our principles, and to ask whether there be not some active fallacy, or the omission of some necessary truth, at the bottom of all this. Where we have failed, it may be, for anything we yet know, as much from what we have neglected as from what we have done. Our object, then, should be to examine the subject in its more general aspects,—to ascertain, if we can, what is the relation which ought to subsist between England and her colonies,—what the influences affecting that relation,—and what the ultimate results to which that relation ought to lead.

"What are the rights and duties of a British emigrant colonist? We mean not those which may happen to be defined or confused by acts of parliament, or by decretals of any kind, but those naturally attaching to him. It is altogether in vain to appeal on such questions to what has been enacted or commanded. Universal tendencies disregard all such restraints, except as mere hindrances; and in the end they break down, or break through, every law which is not merely a means or channel for the better exercise of some natural right.

"The converse of the question just put is, what is the nature and extent of our obligation to defend the colonies, and the rights which entitle us to interfere in their concerns? To this question we have already, in one sense, adverted; but we may here ask, if America were to divert her Japanese expedition to the attack of Port Philip, why ought we to take up the quarrel? and why should Jamaica or Newfoundland be exposed to the

hazard of invasion in a war following an outrage at the antipodes? Or if New Zealand and South Australia, in their future pride of youth, should choose to quarrel with each other, what empowers or requires us to be the umpire? Questions like these—never without importance—can hardly fail to become of serious moment. While colonies are small and weak, and the world is in comparative peace, they may sleep; but when these rising nations come to have interests large enough to touch other interests at many debateable points, to be rich enough to be worth the trouble of aggression, or to think themselves strong enough to indulge in the rash vanity of quarrels with each other or with other states, it may come to be a momentous practical doubt whether, on the one hand, England is bound to protect their interests or to back their ire at her own cost—or, on the other hand, has practical authority enough to keep them out of difficulties and differences of their own creating. So, indeed, the colonies may well ask, on their side, why, if England embroil herself in Europe, are they to bear the penalty of an invaded territory, an interrupted commerce, or severed national connexion?

“To say that all this comes of the colonies belonging to the crown of England, is to repeat a dogma which did not hold in unity our former colonial empire; or, at best, it is to give an account of the connexion which is so obscure and metaphorical as to be altogether insufficient for practical guidance. Neither reverence nor romance can now be made to render the abstract homage to the crown a bond capable of resisting the disruptive forces which great interests or passions may again call into play, and to which the wild independence of frontier life imparts its own energy of action.

“No doubt the advent of these difficulties will be to some extent postponed, and their urgency mitigated, by an increased spirit of caution and forbearance in the imperial government; and we may hope that the adverse tendency of rude colonial life will be checked by an influx of a British-born population, and of metropolitan ideas, casier and larger than was formerly practicable. But we have still to remember that these are the dangers which have shaken or destroyed every system of European colonization. We have already shown how much they did towards the severance from us of America; and, besides the chance of unexpected questions arising, we may easily lose Australia, New Zealand, and the Cape, from causes not yet remedied, however in nature they were made patent during the term of our former colonial connexion.

“‘The natural end of all this,’ say some, ‘is the independence of the colonies. As each colony grows strong enough to disagree effectually with the mother country, it proves by that

fact that it is strong enough to take care of itself. Let us not repine that a day will come when Canada and Nova Scotia, the Cape and Ceylon, Australia and New Zealand, will be as Carolina, Pennsylvania, or Maine.* Our answer is, that while we look without regret or dismay at any degree of advance by which the colonies may become strong enough for independence, we are not quite willing that all the good should be sacrificed which better management and a truer following of nature and experience might achieve. Let it be remembered that, since the separation of America from us, we have had a bloody war with our own kindred, we have had imminent risks of repeated quarrels with them, and we have always operating against the chances of peace the chronic, sub-acute irritation of races, tariffs, party spouting, and diplomacy. Let us remark the yearning for the abolition of war, which grows sick in seeing no practicable substitute for it. Let us count the dangers which come of the coarse immaturity of young and scattered communities. Let us imagine how many struggling tribes, beyond those of our own kindred, would welcome, as their life, a combination in which they could peacefully and freely grow out of their own oppressive and hereditary barbarism into our civilization and light. And then let us ask ourselves whether it is not at least worth some effort to lay in our old colonial dominion the basis of the first confederation in which strong-handed peace and perfect equality shall be the joy and defence of all ends of the earth alike; whether that and more, which the Union is for the several sovereign states of North America, may not be provided for states as numerous and mighty as they, and better fitted by their dispersion—perhaps even by their principles—to influence the rest of the world for good; and whether any means of accomplishing these great objects is likely to arise at all comparable to the federalization of the British colonies. And if, after a careful survey of the case, we can draw a line through our own past footsteps of constitutional progress which shall run forward, beyond our present most advanced point, so as to guide the adventurous design through the great difficulties which might beset it, why should we hesitate to enter on so beneficent, though so anxious a task? If there be a chance of light enough by which to see our way, it must be in carefully, but comprehensively, looking at the great natural principles which rule the case, and in applying our experience to the using of them.*

* In the chapter on the Government of Dependencies, in his *Considerations on Representative Government*, Mr. Mill says:—

“Over and above the commerce which she might equally enjoy after separation, England derives little advantage, except in *prestige*, from her dependencies; and the little she does derive is quite outweighed by the expense they cost her

"We return, then, with redoubled interest, to the natural relations of the colony and the mother country. They are doubtless to be determined primarily by the fundamental principle that protection and allegiance are reciprocal. But protection and allegiance have their practical limits, although the law or crown of England claims an allegiance indefeasible on the part of the subject by any act of his own. The protection of the government cannot follow an Englishman into the wilds of Africa, nor will a strong colonial community obey the imperial authority where a general feeling prevails against its rule. It would be interesting to follow up this subject by inquiring into the just extent of these limits, and not the less so because governments commonly evade or fulfil their side of the reciprocity (which ought to bind both parties with equal strictness) according to political or party convenience at the time. We must content ourselves, however, with a very few general remarks.

"The principle on which the incidence of law is determined is by no means everywhere alike. The nomadic system, that of the lowest and rudest communities, carries the law with the tribe wherever it may go. The fixed system makes all liable to one uniform law who dwell or come within a certain geographical boundary: this is the usage of the most advanced societies. There is a third or mixed system in which each tribe or section of the population within the general geographical limit has its own law; this

and the dissemination they necessitate of her naval and military force, which in case of war or any real apprehension of it, requires to be double or treble what would be needed for the defence of this country alone. But though Great Britain could do perfectly well without her colonies, and though, on every principle of morality and justice, she ought to consent to their separation should the time come when, after full trial of the best form of union, they deliberately desire to be dis severed, there are strong reasons for maintaining the present slight bond of connexion so long as not disagreeable to the feelings of either party. It is a step, as far as it goes, towards universal peace and general friendly co-operation among nations. It renders war impossible among a large number of otherwise independent communities, and, moreover, hinders any of them from being absorbed into a foreign state and becoming a source of additional aggressive strength to some rival power either more despotic or closer at hand, which might not always be so unambitious or so pacific as Great Britain. It at least keeps the markets of the different countries open to one another, and prevents that mutual exclusion by hostile tariffs, which none of the great communities of mankind except England have yet completely outgrown. And in the case of the British possessions it has the advantage, specially valuable at the present time, of adding to the moral influence and weight in the councils of the world of the Power which, of all in existence, best understands liberty, and, whatever may have been its errors in the past, has attained to more of conscience and moral principle in its dealings with foreigners than any other great nation seems either to conceive as possible or recognise as desirable."—*Considerations on Representative Government*. People's Edition: p. 133.

prevails where, as in India, there have been repeated superventions of different races, or there are strongly marked social or religious divisions of the same race ; and it is also found where the political power being weak or depraved, universal law has no energy, so that the needful protection of individuals is left to the imperfect and partial operation of the social powers. None of these meet the requirements of the present case, which is that of a man leaving his own country of fixed law to betake himself to another. If the other be one of fixed law also, he is amenable to its authorities while within its limits ; but then that is not colonizing. If he, with his fellows, plant himself where there is no law, or confessedly insufficient or inappropriate law, how does he stand with his former associates ? Clearly, if they follow him with protection, and he accept it, he is bound thereby to his former obedience, within whatever constitutional limits it might have been circumscribed. But whether they will so follow him, or he so accept protection, depends on other considerations.

“The national relation, essentially different from that of the family, is, in fact, a conventional and not a necessary one : and hence, by the way, the non-appearance of patriotism, in its ordinary sense, in the catalogue of Christian virtues. That is, a man remains just as much and as truly a man, with all the powers, susceptibilities, duties, and enjoyments of a man, although he change his national connexion. There is neither self-reproach, nor occasion for it, in a change of citizenship on sufficient prudential grounds ; and communities of men, even of identical origin, will not separate or unite politically, except with some view to advantage, as they understand advantage. For what benefit, then, does England undertake the protection of the colonies, or the colonies conform to the policy and share the risks of the entire empire ?

“No doubt, the merely personal purposes of the authorities of the day—or, at best, fallacious advantages sought in the interest of some classes at home—were long the objects for which England was induced by her leaders to keep up a colonial empire ; and so long as these surreptitious objects gave character to our proceedings, a continual accumulation of discontents might well prepare the colonial mind for final separation. We may now, however, set aside such considerations in favour of the very probable operation of more honest as well as more general views ; and, so far, we may hope that dissolution is not the necessary end of colonial increase.

“If the whole world were proceeding on one system of policy—open, equal, and free—it would be perfectly supererogatory for any one state to care for extending its influence : for no merely

municipal differences, in a system so radically uniform and stable, could affect the practical exercise of those rights of humanity in general, security in which every state is bound, within limits, to provide for its members. Nor, wherever a citizen went beyond the bounds of incidence of his own law, could there be anything in other law to injure his own just interests, or those of his compatriots in connexion with him. If the radical principles of France were like those of England, it would be a matter of no importance to us whether England or France had colonies: for we could travel in, reside in, deal with one just as well as the other. But since very different principles of policy prevail in different states, and with different races, we have to consider the effect of abandoning distant communities, springing from ourselves, to the influence of systems different from our own, forced on them perhaps against their will, before we decide on ridding ourselves of risk and trouble by giving up our colonial connexions.

"It is true that under varying systems of restrictive and artificial commercial policy little advantage is to be predicated of association with any of them; but, in the free system of England, everything is to be gained by comprehension, or rather by preventing the exclusion in which other systems consist. Free trade, so far from leading to the dissolution of our colonial connexions, should lead to the confirmation of them, until perfect freedom of commerce is secured by the common consent and judgment of mankind.

"The advantages afforded by allied bodies, actuated by a like general polity, with whatever municipal differences, are as great to many individual members of the parent body as to the interests of that body more generally considered. They afford a resort free from the difficulties which old countries appear to many to present to them, and, what is much more important as well as more nearly true, they supply that variety of circumstance and occupation which gives the best chance for the right use and exercise of the varied qualifications of different men; and the reserved consciousness that there are lands, under the same general law and participating in the same general influences, where new and unworn fields may give labour, competency, and quiet to the unfortunate or the oppressed at home, favours greatly the growth of that sturdy though not irregular independence of personal character which is indispensable alike to individual happiness and to sound national strength. But a different general policy restricts to narrow limits the advantages which would induce the members of a more advanced community to share in the labours and difficulties of one less matured. Few Englishmen settle in Egypt, fewer still in Morocco or Pegu, and

not many even in the slave states of America. The smallness of our numbers in India, notwithstanding our political pre-eminence there, seems to be occasioned by the still preponderating influence of native principles, much more than by any adverse peculiarity of climate. If there were many Englishmen in some African or Asiatic countries, we should probably be compelled either to abandon, in respect to them, the duty of protection and its correlative allegiance, or to wage almost continual war on their account. The degree in which our colonies attract our countrymen more than those countries do, is to be attributed, in great part, to a similarity of policy which, because it is attractive, or, in another word, advantageous to them, is of great importance to be preserved.

"If the tendency to travel, to colonize, or in some way or other to seek advantages abroad, be as natural and irrepressible as we conceive it to be, there can be no escape from the duty of protecting our people in it, as in the exercise of any other just and lawful tendency ;—no escape, that is, except by renouncing at the same time the fealty. If one man exercises his industry at home in gratification of his love of home, and another exercise his abroad in equally laudable gratification of his love of novelty or adventure, the two men have obviously an equal right to protection, if equal obedience be required of them ; and to refuse it to one man beyond the local bounds of home, is to bring doubt on its being made available to any other, however beneficial to great general interests his wandering may be. To claim redress for Mr. Mather at Florence, and to protect our New Zealand colonists, are but different forms of the same duty, and both arise from general principles, which if damaged in application in one case are seriously imperilled in the other. Are we so independent of external relations that we can afford to shut ourselves up like Japan ? or must we take the risks as well as the advantages attendant on our people scattering themselves for innumerable purposes, and in every variety of connexion, over the face of the earth ?

If our people, in going abroad, are denied our protection, they will defend themselves, and we can have no right to restrain them. Under the cover afforded by this irregular exercise of an undoubted natural right, may easily grow up a state of lawless violence. It is not very easy to divest ourselves of obligations towards other states, in respect of those who go out from us and bear our name. If an ill-conducted body of Englishmen were to establish themselves on an island in the Pacific, we might have some difficulty in ridding ourselves practically of responsibility for their acts towards others, however little we might have had to do with them ; and our own doctrine of an indefeasible allegiance

would of course be made to fix on us, still more firmly, the natural liabilities of the case. We have then to consider, not whether we will have colonies or not, but under what arrangements we shall retain so much of the duties of a continuing relation with our errant members, as will entitle us to an effectual exercise of its rights.

"Whatever weight may be given to each of these separate considerations, their concurrence seems to show that we are not wrong when we follow the general tendency of advanced communities, in retaining within our political system those bodies of our fellow-countrymen who seek their subsistence, fortune, or pleasure, abroad. But to render such a connexion of any value to the parent state, or its members, the same general principles of legislation and policy must pervade the whole system and every part of it, however widely dispersed; and the constitutional arrangements must afford the means of promoting, if not ensuring, this identity of principles and purpose in all the details, as well as in the great measures of every separate subordinate government. All the advantages, for the sake of which the parent state involves itself in the affairs of the dependency, flow from this identity of views, and can flow from nothing else; and all the responsibilities of the central state, and through it of all the colonies, towards other states, require that each member of the confederacy conform practically to the general course. How this is to be reconciled with the just power and independent influence of the local legislatures is one of the chief problems of the case.

"If the central state find advantages in maintaining a colonial system, no less do colonies profit by keeping up an intimate connexion with their original stock. A newly-settled colony is necessarily weak and defenceless; the allied force of a powerful cognate community is the ready and natural resource of such a body. That such a safeguard may not be needless, even in the nineteenth century, we may easily conceive by imagining the piratical invasion of Cuba to have alighted on Jamaica, or the swoop of the Gallic bird, eagle or cock, which once fell on Tahiti, to be directed, as it might with equal justice, and much more than equal temptation, on New South Wales.

"The immigration of denizens of the older country contributes too obviously to the prosperity of a colony to be obstructed, or for any measures tending to its encouragement to be intentionally neglected. But a colonist is, perhaps, not in the best position for estimating aright the force of the circumstances which may discourage immigration, or the value of the principles which a large immigration from the more cultivated mother country would strengthen in the colony. A colonial community, of

which a great proportion is ever in contact with savage or semi-savage tribes, is necessarily lower and coarser in moral feeling, and in regard both for natural rights and for the artificial regulation and protection of them, than are the members of an older, more settled, and more quiet national body. Habits of feeling, and what are much dependent on them, habits of thought, are mainly influenced by the facts of daily life; and they who have often to repel the attacks or circumvent the craft of the savage,—they who, with little of the refining influences of society, literature, or religion, are every day exercising and strengthening their own hardihood on the very edge of the wild world they are continually pushing before them,—these are not the men to agree spontaneously, in spirit and detail, with a legislation dictated by the advanced but subdued experiences of the central community. And yet, if these more advanced experiences be not listened to,—if the savage have not his trial instead of the prompt, though, perhaps, just revenge of the bloodhound and the rifle,—if men are not led, even at the frontiers, to hope for something from the success of kindness, forbearance, and moral example,—if patience have not her share in the work as well as courage, there can be no alternative between the extermination of the black man, and the recession of the white; neither can the colony, in the general tone of its morals and legislation, afford to such a metropolitan emigrant as is best fitted to serve colonial interests, a sufficient inducement to encounter the really inevitable ills of colonial life.

“Nor is contact with savagery the only influence which deteriorates colonial feeling: mere sparseness of population, which plentifulness of land always induces in a colony, contributes to the same effect. A scattered people soon lose the impress of the advance to which men in denser bodies stimulate each other, and for which combination and matured resources can alone provide the means; unchecked by censure, men begin to indulge in what they would not otherwise have ventured on, and soon set up for themselves a new and inferior standard.

“The power of opinion, little believed in and almost always undervalued, stands for least of all, perhaps, in the estimation of a member of a young and scattered colony. Force and authority are his daily resort, and he knows of no influences which are soft and noiseless while they are also great. He may despise opinion as a social force, but how great its energy he may learn from this: the citizen of Alabama keeps quiet his bowie-knife, and the Italian his stiletto, in the streets of London.

Those considerations seem to afford two practical suggestions. First; since legislation and general policy, in their character and aims, are always what the people are, and a coarse and violent

legislation is the most certain of all checks to real and permanent prosperity, the colonist has a strong interest in such an immigration as, by counteracting the unavoidable tendency of colonial circumstances, shall tend to keep up in the colony the tone of moral feeling and the spirit of general intelligence: such an immigration he can only have from the mother country, and only indeed from the best part of even her population. Secondly; as far as legislation and policy are concerned, only agreement in great general principles, and arrangements for their conservation, can work out such a state of things as will offer satisfactory inducements to such an improved and improving immigration from the mother country.

“Whether, then, we consider the more patent necessities of defence and advantages of augmented population, or the less obvious, but not less important, considerations connected with the tone and spirit of colonial society and legislation, it appears that the interests of the colony, equally with those of the mother country, require a firm and unvarying concurrence in certain great fundamental maxims of government; and they require with equal urgency, the establishment of practical means for perpetuating that concurrence, for supervising the application of general principles to the detail of particular measures, and for reviewing the course and objects of the whole confederation.

“The necessity for local legislative power has been admitted from our earliest days of colonial enterprise, whether out of deference to the uneradicable constitutional predilections of Englishmen, or from conviction of its value as an instrument of practical administration. We may, therefore, with few words, note the necessary incorporation of this element into any system of colonial government. The need of it may be plainly deduced from the discontent with which men of right feelings and true mould must ever view a constant and blundering interference of distant and half-informed officials, in matters of local moment, dependent on local understanding. Conformity to general principles, however, the whole confederated community have a right to expect; and the interference requisite to this, graduated from urgent discussion to mere remark, except in extreme cases, is all that either prudence or right requires. That this might be necessary, we can easily believe; or if not so easily, the singular step recently taken by one of our colonial legislatures of America, in giving bounties to their fishermen, may well convince us: for although the falling of such a weight on the exclusive resources of the colony will probably soon lead to the correction of an error so alien to our general policy, the proceeding is still a proof that our colonial legislatures have not yet outgrown the tendency of young communities to the quirks and contrivances

of over legislation. Subject, however, to the supervision requisite for limiting the effects of such aberrations, local legislative authority for local purposes is an essential part of any just and stable system of colonial government and confederation.

"Let us look now at the nature and consequences of our present colonial system, and the general character of the remedy required by its admitted inefficiency. At present the condition of most of our colonies is for many purposes little short of independence. It is true that in some matters, apparently relating to imperial or perhaps British interests, we sometimes attempt a control which seems rather to provoke discontent than to answer any valuable purpose ; but, generally speaking, the colonies which have local legislatures (and they are the most numerous and important), govern themselves. They have, to a great extent, the power of the purse ; they lack only that of arms (of little importance just now), to have no other than a merely nominal connexion with the imperial government. As things stand, it would save much, in all but appearances, to declare all the colonies independent at once. A system local in power and effects, while imperial in form and name, can lead only to expectations on the part of the colonies which cannot be fulfilled, and embarrassments in foreign relations in which England, and every colony, may suffer seriously for the uncontrollable fault of one. That the system must be changed is evident,—or will England be content to pay for the defence of the colonies, when, as ten years hence, they may number twelve or fifteen millions of souls ?

"Somuch of our system as is central, if quite inadequate to make the colonists feel the yoke, is evidently insufficient for its just duty. It is not strong enough to govern the colonies for imperial purposes ; it is not locally influential and well informed enough to decide with acceptance on colonial questions. With British prepossessions, it can bring only knowledge and doctrine to its colonial resolves. If a colony were to choose to depart ever so widely from the principles of imperial legislation, or to adopt any course sacrificing the advantages which the central state has a right to expect from the connexion, there is no power short of parliament which can advise with effect ; and parliament, except in matters of local British interest, will not stir for less than political earthquakes. Downing-street, when acting alone, is little more than the titular centre of a weak and embarrassing association, or the incompetent and ever vexing director of interests it can never thoroughly comprehend. Nor is the imperial headship sufficiently adapted to its purpose, when to Downing-street we add parliament. Much, both for good and ill, is done respecting the colonies which, being in detail, cannot come before parliament at all ; but which may lay up an ever increasing store

of adverse consequences. A few greater, or perhaps only more pungent questions, force indeed their way to our senate, as, for instance, a New Zealand constitution, or the trickery of a New Zealand company, a Caffre war, Australian gold finding, or Cape Town resistance to our system of transportation ; but, even in respect of these, it is only a small share of the attention of 651 gentlemen, and 450 or 460 lords, who have much else of all sorts to do, that can be devoted to them ; and that little runs many risks of not being devoted to them at all. Next to Indian questions, none are so unwelcome to parliament as those which affect the colonies.

“ It is not in a few great embarrassments which parliament will take up, that the danger lies ; but in that ever coming business of common interests and administration, which, if not adjusted as it occurs, in accordance with the universal feeling of right, sets up a chronic disturbance in many minds of which the greater political occasions are only the crises. It is true, we are most struck with the cure of a raging evil, or the surrender or settlement of some great dispute ; but it is much more in the noiseless rectifications and *prévoyant* order of current affairs, that the real value of government is to be found. Our head or limbs remind us of their existence only when disordered, and not during the happy play of activity and health : so also a government is best fulfilling its functions when we forget its powers in the established enjoyment of its results : the great occasions of its being remembered are for the most part the marks and consequences of its own errors. Parliament, it is true, deals with the crises of our colonial affairs, when their imminence can no longer be ignored ; but it did nothing, either by healthful reaction against the disease or by alterative treatment of it, to prevent the separation of the American colonies, or to avert the rebellion of Canada ; nor will it probably supply, although it may adopt, the remedy for the ills of Australia or the Cape. Parliament, except as a sovereign arbiter, seldom to be called on, is a most unfitting instrument of colonial government.

“ The colonies have their full reason for complaint as well as England. We have already shown that they are subjected to a rule which is necessarily meddlesome without being efficient, and intimate without being well informed. Met with a semi-alien *treatment in the offices of the imperial government*, they are called on for a full obedience ; and when they complain of removable ills, flowing from imperial determinations, they find they have no hearing except through importunity within the walls where reform awakens its latest echoes, or by favour of some painstaking patriot who speaks for them, by favour, where a thousand voices are struggling for equal audience. Disheartened,

if not disgusted, they remember they once were Englishmen, and they fear to believe the time must come when they can be Englishmen no more. The constitution, slowly expanding to the necessities of successive ages, has not yet opened widely enough to receive them, and the solemn question now waiting for solution is,—will it receive them before they must otherwise retire ?

“ But what is the occasion of these complaints ?—complaints equally urgent, equally reasonable, and equally without necessary foundation on both sides ? The British people have no lack of right national fraternity towards their brethren of the colonies. Parliament is not hostile or even cold ; it is only over occupied in its attention and forestalled in its feelings. Even the Colonial Office has no ill-will in the matter, nor is it for a moment to be suspected of corruption ; its most sluggish or most opinated inmates have no worse faults than ordinarily come of the very nature of office, and of long exposure to its influences, where open debate does not continually modify them. Nay, the faults of Downing-street are not such as are exclusively derived from office ; they are common to all cases of long continuance in one pent-up occupation, be it of what kind it may,—not inherent, but accidental and remediable, though potent present causes of estrangement. On the other hand, the colonists of British descent have not lost their love of fatherland. Our constitutional and traditional glories still glow in their thoughts as their own inheritance ; our intellectual and moral progress they still delight to share. To call them anything but Britons they deem a libel, and to the same appellation, men of every descent and every hue associated with them, unanimously aspire. What then, in the absence of every symptom, and certainly of every necessary cause of real alienation of feeling, is the occasion of these patent and continually repeated complaints ?

“ The chief occasion we believe to be the absence of a constitutional arrangement for the public discussion in England of colonial questions, under which, like British questions in the British parliament, they can be opened and debated *as of right*. The want of such an arena of discussion is in fact that one defect which essentially vitiates all anti-popular systems of government : and the defect in our own government, in respect of colonial affairs, in their imperial sense, is as real, if not as great, as in those of Russia, Austria, or Turkey, as to every branch of their administration. It may be said, indeed, that the colonies have local legislatures, and that they can resort to parliament. But their local legislatures, however liberal the constitutions under which they exist, are necessarily confined in their powers to local subjects, and are essentially incompetent to deal with the matters external to each colony, or relating to the whole, which threaten

the coherency of the body ; while to the British parliament the colonists have no such access as will ensure their interests being debated at their time, or their interests represented in their spirit, or with their earnestness and information. It is true, the press is open to them ; but the press, like parliament, is subject to a thousand other influences, and encumbered with a thousand other subjects ; it will admit or exclude colonial or other matters of debate, only as the temper and occupation of the public mind will permit. The quiet but constant pursuance of right, in the spirit of conciliating hope, is evidently not yet provided for in respect of colonial affairs, and can hardly be provided for by any means short of an assembly specially dedicated to them.

“ We may well believe that such an assembly would effectually remedy colonial discontents, while it filled up an important defect in our own system. The constitutional student has long known that the dissatisfactions and active disorders of our own country have diminished, under equal provocation, just in proportion as the intelligent power and legal right of discussion have been extended. Nor, in the somewhat less important matter of administrative facility, can we fail to observe, with regret, that more than one opening might have led to a settlement of the American contest, without separation or even collision, had a platform existed on which the parties could have met for discussion, *as of right*.

“ To place representatives of the colonies in the House of Commons, besides being open to objection on British grounds, presents small chance of supplying colonial wants. That body would be as little at leisure, and as little able, then as now, to discuss colonial questions in their requisite variety and detail ; nor, for the most part, could representatives of the colonies be more than so many additional spectators of the multifarious struggles on local and often on little matters which now so much engross the time and weary the attention of the legislature. Besides,—a central and supreme authority is wanting, competent to deal finally with general interests and inter-colonial questions, under enlightenment derived from the debates and resolutions of a colonial house, but in a spirit uninfluenced by local feelings, and guided by the richer experience of an older country : and for this purpose, which on great occasions it would well fulfil in the interest of all, it would be necessary to reserve the overruling power of the British parliament.

“ Such a colonial representative body, however, to be admitted safely into our system, needs to be restricted in its functions to discussion and advice. The necessity of preserving unity in the central authority, the impossibility of admitting a colonial veto on matters of domestic British legislation, the difficulty of sepa-

rating in all cases between British and imperial subjects, and the danger arising from further increasing the bulk and complexity of our machinery of decree, render it obvious that to give another house a share in the actual power of legislation, would be fraught with risks too great to permit the attempt to be made. But these difficulties disappear, for the most part if not entirely, when the power of the colonial house is limited, as proposed, to the free public discussion of all subjects, and the recording of its views.

“Subject to this limitation, however, every proceeding of the British government, and every proposed enactment of the British parliament, relating to the colonies, together with every act, whether of the legislature or executive of every colony, would be liable to examination. Errors of policy, abuses, extravagance, oppression, failure of duty, or need of improved laws, wherever existing in connexion with colonial interests, would meet with independent denunciation, inquiry, or advocacy, in such an assembly; while the conservation of the general principles of the imperial legislation and policy must be much promoted by the right of examination in such an assembly, as well as by that general concurrence in them which could not fail to flow from the investigation of them with all the helps attainable at the central seat of intelligence and of empire, and from habits of concentrated action on their basis.

“The objection most likely to be made is that such an assembly, being only advisory, will be neglected, insignificant, and therefore inefficient. This, however, is far from having been the result in other instances. Our parliament itself was originally only advisory, as is testified by the form of its enactments still preserved, and by the incidents of its early and middle history. The substantial enacting power has passed, by a very slow transition, from the king to the parliament, and is now as slowly passing chiefly into the hands of that house which was originally far the weakest, the Commons. Our public meetings and our press are only advisory; but the boldest minister shrinks from disregarding them. A council of war is only advisory; but a commander, when once he has consulted it, is under a double necessity of being able to justify any course opposed to its opinion. The councils of our Indian governments are in strictness only advisory; but scarcely, for that, less powerful when actually consulted. It would be easy to multiply parallels, political and other. Where no disparagement is implied in the absence of power, and no responsibility for consequences exists if advice given be not followed, men in general are quite willing to fill a position which confers influence, although not accompanied by the actual right to command.

“The employment of an advisory assembly has this safety and advantage—the strength of such a body must generally be in proportion to its wisdom and prudence. A despot, although a fool, inspires awe, and therefore obedience, by the magnitude of the immediate consequences of his acts, whatever their folly ; but an adviser can earn respect, and therefore power, only by the value of his advice ; and an adviser with continued existence, like our House of Commons, gains slowly, in time, the substantial power which it could not at first have wielded to any good purpose, and which would on no terms have ever been directly given to it. If it prove itself not worthy of this success it sinks, and probably expires. A foolish colonial house could effect no greater harm than a little inconvenience ; a wise one would become a second right arm of the empire.

“It is true that a merely advisory assembly does not fill up the established formula of constitutionalism : it may, nevertheless, be an institution of great practical value. Liberties are not established by formulæ, although formulæ do good service in their own way. A deliberative assembly of representatives under a constitution commonly fulfils three functions—it discusses, it counts heads on either side of a question, and it decrees. Of these three functions, an advisory assembly fulfils two ; and the remaining one, the power of decree, in whatsoever hands it may be actually lodged, always follows the right exercise of the other two. Even a single reformer, still more an assembly, is amply armed if only he have full liberty and sufficient facilities of discussion.

“The colonies represented for imperial purposes in only an advisory assembly, would however have a long novitiate before them. This collective agency exercised in public, it is true, would be from the first a safeguard against gross injustice or neglect, and, so far, a valuable addition to their present apparatus of right ; but the colonial mind could only acquire its proportionate weight in the general councils of the empire as time should show its value. Growth would be pre-eminently the principle of such an institution ; and the colonies would doubtless be content with the present advantages and attainable influence it would be capable of affording them.

“This proposal involves no change different in principle from the several extensions by which our constitution has adapted itself to the growth of our interests. When our commonalty became too important to be overridden by kings and nobles, they were called into council by the institution or enlargement of the House of Commons. When the growing intelligence of the people required it, the full publication of parliamentary proceedings, and the right to discuss them, were conceded. When

the colonies grew too extensive to be a part of the charge of one secretary of state, another was appointed to that especial duty. And so on. Change, far from unknown to us, is at least exempt from the charge of novelty or rashness, when it proceeds on principles already tried. A colonial assembly in London, advising the supreme central powers, would be little more than a revised copy, for modern use, of the rudimentary parliament which supplied the basis of our present legislature. The parallel holds further. Looking forward to the period when the colonies will contain a serious proportion of the whole British population, the alternative is evidently that of suffering them to abandon us one by one, or to admit them, as the people were admitted in the middle ages, to a modified voice in the general councils of the empire.

"England may now safely venture on such a measure. We have renounced for ourselves all presumed artificial advantages, and have adopted a policy of simple and equal justice; and although we may have yet but inadequately carried that policy into effect, we have at least rid ourselves of the turmoil and danger attending the complicated bickerings of insatiable factitious interests. In proportion as we approximate to making impartial right the simple standard of our policy, may we admit all parties to counsels which can only have for their object the details by which a purpose so universally and permanently to be approved may be accomplished. Differences there will be; but the great causes of dangerous dissension hitherto revealed by experience, our present principles have abolished, or may soon abolish; and we may even now establish a confederation greater, more pacific, and safer at once to those within and without it, than the state of the world has ever before permitted.

"The first step towards the establishment of such a confederation is, the indication of the general principles which are to form its bond of similarity and interest, and for the maintenance of which the confederation itself is to exist. A positive definition of the powers and duties of government, *and of their limits*, would doubtless be the natural and most successful basis of such a union; but no such definition yet exists, or at least is sufficiently admitted. We are still defining the powers of government exceptively; cutting off from the ill-understood range and area of government action, those parts in which we find that action to be injurious. The positive, primary, and as we should say *only*, duties of government, are indeed recognised universally to be of such urgency as to obtain admission into every system. If we are not much in error, the exceptive process will continue until it has cut down the action of government to its positive and primary duties.

“ Meanwhile the following seem to be the principles which at the present time form the British platform, as distinguished from that of any other country or federation. Included with them are doubtless some common at once to our system and to some others the nearest in character to our own, but which are required here to define the platform as against different principles in another direction.

“ 1. Fixity of law, and uniformity of its application to all British subjects alike, of whatever colour, race, or religion, and to all foreigners, as to all British subjects, with only the differences required by their different allegiance.

“ 2. Separation of the judicial from other functions, trial by jury, and the independence and inviolability of judges and juries.

“ 3. The right of personal liberty equally secured to all by *habeas corpus*, without distinction of religion, race, or colour.

“ 4. Subordination of the military to the civil power.

“ 5. Freedom of discussion by printing, writing, and spoken words.

“ 6. Publicity of legislation, justice, taxation, and government accounts, under whatever forms these may be locally effected or administered.

“ 7. Freedom of enterprise, commerce, and locomotion, exempt from protective or discriminative duties.

“ 8. Religious equality as to civil rights, eligibilities, privileges, and liabilities of law, together with exemption, in all colonies, from compulsory payments for religious purposes.

“ 9. Permanence and equality of the rights of all British subjects in every part of the empire alike, subject to the local laws.

“ We have not included representative government amongst the above, for two reasons ; 1st, because in fact it is not so much a principle involving immediate practical consequences of government, as a security for the maintenance of accepted principles ; and 2ndly, because in some cases, as in that of a young and small colony, or of a non-British community desiring admittance into the confederation, it might not be practicable at first to carry this condition into effect. Under the influence of free discussion, fostered by incorporation into a free political body, and secured by the other principles of the platform, no colony capable of using representative government could fail to obtain it.

“ The principles just stated carry with them security for all other advance. Time will doubtless evolve other objects as conditions of federation, just as we have gradually established these. Of late years, fresh and striking instances have occurred in the prominence given to religious and commercial freedom. The gradual incorporation of new principles into the public senti-

ment, will ensure to them due rank in the considerations which affect the proceedings of the general body and of its permanent head, the central British nation, by the same process that has given fixity and strength to the several principles on which our constitutional liberties at home now depend. We may now proceed to suggest, approximatively, the practical arrangements required.

"1. The local constitution of each colony, and its relative position to the imperial government, to be left on their present footing, subject always to such improvements as may be made under the ordinary operation of the new arrangements.

"2. An assembly, or colonial house, to sit in London, composed of representatives from every colony, (chosen by their representative assemblies, where such exist,) together with the colonial secretary of state, two under-secretaries, and such other persons, not exceeding one-fifth of the entire body, as her Majesty may appoint. This assembly to be entitled to discuss all colonial subjects, and particularly those which follow, viz. :—

"All acts of colonial legislatures, and legislative acts of colonial governors, more particularly, but not exclusively, during the period reserved for imperial disallowance ;

"All matters of taxation and expenditure in any and every colony ;

"All Bills in the British parliament affecting colonial interests, at some certain stage or stages of their progress ;

"All acts of the executive and judicial authorities in the colonies, in the same manner as acts of the like kind affecting Britain may be discussed in the imperial parliament ;

"And all motions on colonial affairs made by members, in like manner as on British affairs in the British parliament.

"The resolutions of the assembly to be communicated to the Queen's ministers, or to either house of parliament, as the case may be, but to have no other than a declaratory or advisory effect.

"3. Supreme authority to reside in the crown and legislature of Great Britain, in all matters requisite for maintaining both the general constitutional law of England and "the platform," where a local legislature or government may have neglected or violated either of them : this authority not to be exercised in respect of legislative acts until after the erring colony has been called on to discuss the matter complained of in the assembly.

"4. Inter-colonial differences, when matters of fact or law, to be adjudicated conclusively by the British tribunals in England, in the same manner as suits or actions between parties ; other matters of difference to be determined by parliament or her Majesty's ministers, as the nature of the case may require.

" 5. Six months' residence in any colony to entitle any British subject to local, political, and municipal rights of every kind, in as full a manner as they are enjoyed by the other inhabitants.

" 6. The chief judicial functionaries to be appointed directly by the crown. Legal processes and adjudications in one colony, not repugnant to the general law of the empire and certified and approved by sufficient authority in the colony whence they issue, to have effect in every other colony, in manner according to the local law where effect is prayed. Legal practitioners qualified in England, or in any colony, to be eligible in all.

" 7. Each colony to maintain troops in such proportion to the general force of the empire, as shall be determined by parliament from time to time, after discussion in the assembly. Part of the troops in each colony to be for local, part for general service; each colony to have the right of raising and officering its troops from its own population, so that they be raised, but subject to general regulations for efficiency; the local troops to be embodied under local mutiny acts and regulations, those for general service under the general Mutiny Act of the empire. The officers to be commissioned by the local executive representative of the Queen's government, and those for general service to bear also brevet Queen's commissions of the same rank. The whole to be under the authority of the British commander-in-chief, so as to form one imperial force. The troops for general service to circulate through the empire as British troops, as far as climate and other necessary limitations will permit. Each colony to maintain a naval force also, under regulations analogous to those just described for the army. The troops and ships of each colony to bear the British flag, with a distinguishing device for each on its field.

" 8. External relations for the whole, and for each part of the confederation, to be under the control of the crown.

" 9. Where a colony abuts on other territory, its limits within which the principles are to be kept and the imperial obligations to run, to be defined, and, if needful, altered from time to time by the Queen in council; and all acts done beyond those limits, to be at the risk of the persons engaged in them.

" 10. Attack on any point within the defined limits of the empire, to be resisted with the whole force of the empire; and wrong done to any British subject, whether within or without the limits, to be treated in an imperial sense.

" 11. A colony adjudicated in England to have unjustly offended a foreign power or tribe, to bear the cost of reparation from its own resources, but to be defended from attack except it resist or evade the award.

" 12. All colonies now under the authority of the British crown
[Vol. XCIII. No. CLXXXIII.]—NEW SERIES, Vol. XXXVII. No. I. D

to be admitted to the confederation on their sending representatives to a meeting of the assembly convened by her Majesty for a certain day : all who do not send representatives to be liable to severance from the empire, at any time when the imperial authorities shall so determine. In future, communities of British origin or descent, free from other allegiance, to be admitted into the confederation by act of parliament, after declaration of willingness and proof of competency to keep the principles.

"13. A colony contumacious after being admitted, to be liable either to coercion, or to expulsion and annulling of its allegiance, as may be determined in the case.

"14. Any colony to be at liberty to withdraw on fulfilling all obligations to the British crown, and public obligations to British subjects, up to the date of withdrawal.

"These arrangements are suggested merely with the view of showing that no insuperable impracticability exists to defeat the design ; the object with which any such are devised must necessarily be to render the empire one in spirit and action, to hold it together only by the conviction of each of its parts of the benefit of the connexion, and, therefore, to combine the necessary unity of imperial counsel and action with the fullest means of discussion and content.

"We wish India could be included; we apprehend, however, that there are difficulties enough to prevent it. The case of India is generally misapprehended : it is not so much one of abnormal sociology as one of stunting, stereotyping, mummifying, at an early period of growth ; hence, alone, its perplexing strangeness to us. Nevertheless, this very state of the case prevents India at present from being capable of keeping 'the platform.' And then, its magnitude renders it almost impracticable to influence it sufficiently by any mere teaching or example that can be bestowed on it, so as to fit it at present for association with our colonies. Nor could its vast interests be rightly discussed in an assembly devoted to colonial affairs. For a beginning, indeed, its presidential cities might have seats in the colonial house until other plans became practicable ; but it needs a like representative house of its own, and is well worthy of it.*

"One point remains ;—is it practicable to incorporate with the British empire, on the footing of colonies, tribes of non-British descent and organization ? We hopefully believe it is. We entertain, indeed, the conviction, more earnestly than it is commonly held, that the laws and government of every country are always the reflex, moral and intellectual, of its people ; and, by the aid of this principle, we conclude that most untrained and

* This paragraph was written, just as it stands, seventeen years ago—long before the Indian Council had loomed on the political horizon, and is a remarkable testimony to the author's political sagacity and foresight.—*Editor.*

unlettered communities would be found incapable of keeping 'the platform.' But some who are now struggling against ignorance and adverse circumstances, might, if aided and encouraged, succeed in the attempt; and their success would be the true test of fitness for entering the confederation. It might require in most cases a period of assistance and probation,—in all a period of inquiry; but the vast amount of good so expansive a principle would accomplish, if it could be made practically effective, would justify not a little both of hope and outlay, before the attempt to bring it into action was abandoned. The particular form of the internal constitution of the candidate community need scarcely be an obstruction: for even, in the extreme case of its being a kingdom, a local and subordinate allegiance to a local king is not necessarily incompatible with a supreme allegiance to the British crown so long as the connexion continues, as the subinfeudations of the middle ages, if we have need of precedents, sufficiently show. Each of these cases, however, would require careful consideration on its own merits, and probably a special adaptation of the administrative terms to suit the circumstances. The employment of British advisory commissioners during the period of probation, and perhaps in most cases afterwards, at the request of the native authorities, might prove necessary and sufficient for enabling a willing community, anxious to escape from barbarism, to qualify itself to take and retain a place in our system.

"We shall venture, then, romantic as it may seem, to add another to the fourteen foregoing articles of administration, as follows:—

"15. Communities of foreign descent to be eligible to admission on terms to be settled by parliament in each several case, the general object being security for keeping the principles, and the means ordinarily being the employment by the native authorities, and for their aid, under the direction of the British government, of advisory British commissioners. Continuance in the confederation to be dependent on continued conformity to its principles. Subordinate allegiance to a local king to be held not incompatible with supreme allegiance to the British crown, so long as the colonial relation subsists.

"Let us now imagine our colonies so confederated, and the government of India placed on a similar basis. What would be the results? 1st, we apprehend, the admitted evils of our colonial government, with its causes, would be stated, discussed, and remedied. 2nd, The means would be in constant operation of maintaining satisfaction, confidence, and internal quiet in the government, through the constant adoption, in detail, of needful improvements and reforms. 3rd, Taking Great Britain, the

colonies, and India together,—145 millions of souls at least,—one-sixth of the earth's population would be held in perpetual peace amongst themselves, with an efficient apparatus of arbitration provided against every contingency,—the nearest approach which yet seems practicable to a general abolition of war. 4th, A confederation so varied and extensive in its interests, and presenting so many points at which it might be made to suffer, would be under the strongest inducements to keep the peace towards others, while the overwhelming force at its command would render it extremely unlikely that others should wantonly or hastily attack it. 5th, Indefinite extension might be given to the empire of Britain, without dangerous weakness at the circumference, or overpowering burdens at the centre. 6th, The most advanced and most successful principles of government the world has yet seen might be carried into practice by many communities of our own race, placed so as to influence beneficially by their example the largest populations of the world not included in the confederation. 7th, Through communities less advanced than our own, the direct action of the same principles might be gradually extended far beyond our own power of colonization. 8th, Free and unimpeded intercourse would be established and secured from legal infringement between countries of every climate and every variety of product, under one general system of law, and by right of one pervading citizenship. 9th, A feeling of fraternity, no less than a consciousness of community of material interests, seems to be the sentiment to animate spontaneously a confederacy whose only object would be to secure impartially the freedom and the rights of all.

“Few of our readers would blame us for indulging in the luxury of such anticipations, even if they believed them to be of no stronger stuff than a day-dream. But has not the question, even in its philanthropy, a rational and sober side? Surely the earth is not doomed to everlasting discord! But how is it to be raised and purified? Never did a country hold, in relation to the rest of the world, the position now held by England. It is not a eulogium on ourselves, but a tribute to the influences which have operated on us, to say that, with all our faults, never was power so extensive held with so strong a disposition to use it beneficently. We are placed by parts, in every region, and at opposite ends of the earth, dispersed yet closely knit, with highly diversified conditions and pursuits, yet of one mind and tradition. Every tribe we touch admits our superiority, and looks to us either in the conscious fear of weakness, or with the brightening hope of participating in our elevation. Have we this high station for nothing? Or shall we not rather hope that some such use of our powers as the federalization of the British co-

lonies, on principles sanctioned by our own constitutional history and experience, may prove one of the means of fulfilling the high purposes for which our pre-eminence has been given to us?"

It should be noticed that in the latter part of last summer certain influential colonists, resident in this country, met together at the Westminster Palace Hotel, and appointed a committee for the purpose of drawing up and sending a circular to the principal Colonial Governments inviting them to nominate delegates to a Colonial Congress, to be held in London in the approaching spring. This circular has been forwarded, as proposed, and, in some cases, has been already favourably answered. In a despatch dated September 8th, 1869, Lord Granville has, however, announced to the Governors of New South Wales, South Australia, New Zealand, Tasmania, Victoria, Queensland, Canada, the Cape, Natal, and the Mauritius, his disapproval of, and even opposition to, any project of a Colonial Congress, either permanent or temporary, in the metropolis. The movement initiated for its promotion may therefore prove abortive, at least for the present. But had it received the countenance of the Imperial Government, we might have expected to be at last fully and authoritatively informed by the assembled delegates of the views, wishes, and hopes of the various communities they would have represented as to the nature, incidents, and duration of their future connexion with the sovereign state. We deeply regret the action which the Secretary for the Colonies has thought it his duty to take. The existing uncertain and unsatisfactory condition of affairs in his department cannot, and ought not, to continue. In what manner it may be ultimately modified or reformed it is impossible to foresee. But of this we feel assured, that it will be well both for this country and the world should it issue in the realization of a scheme at once so just and so rational as that which we have now for a second time laid before our readers.



ART. II.—LAND TENURES AND THEIR CONSEQUENCES.

1. *History of Agriculture and Prices in England.* By JAMES E. T. ROGERS, M.A., Professor of Political Economy in the University of Oxford. 1866.
2. *Harrington's Oceana.* 1656.

THERE is a class of minds mainly absorbed in the present, more interested in the future than the past, and very slow to perceive the connexion of existing institutions with events removed from us by hundreds of years. A want of close

study prevents them from seeing that, especially in old and settled countries like our own, centuries often are in the life and fate of nations what years are in the life of individuals, and that bygone events whose history is sometimes obscure have a lasting effect upon the fate of nations.

People of an everyday stamp of mind are apt to get impatient when one insists that the confiscations of James I., of Oliver Cromwell, and William of Orange, with the traditions of government they bequeathed to their successors, have much to do with the present condition of the country population of Ireland, or that the Highlanders are still suffering from the arbitrary arrangements which deprived the Gaelic clansmen of all share of the territory of the clan of which they were joint owners. Yet it would be difficult for any one who has studied the sequence of events to leave these matters out of consideration in discussing the present condition of the Irish or the Highlanders. In the same way the nature of English liberty and English institutions, as well as the course of English history, has been very much influenced by the character of our landed tenure and our peculiar views on landed property and its rights. In considering the various ways in which the soil has been allotted for certain purposes of common utility to private individuals, we perceive that different communities have allowed different degrees and modes of possession. In some cases, or in some countries, it gives away rights which in others it retains; but in no country in the world has there ever been an entire renunciation of a control of the soil which constitutes the country upon which the nation is born. This is summed up in the well-known axiom of English law, "That no man is in law the absolute owner of lands. He can only hold an estate in them."

The original tenures of land in the Highlands and in Ireland were different from the tenures in that part of Britain occupied by a Saxon or Saxon-speaking population, hence it is convenient to treat of them separately; but the landed tenures of the Lowlands of Scotland and that of England are so far alike that they can be considered together without any very marked separation of treatment.

Our rural polity, partly the remnant of old feudalism, partly the creation of modern centralization, constitutes a system which many palliate, some defend, and a few praise, but which never would have been constructed to suit the wants of our own times, and which is only tolerated because it is difficult to destroy without more exertion of thought and action than people in these days will bestow on anything save their own personal undertakings. The feudal system was not the result of any adaptation to the necessary wants and circumstances of a rude and barba-

rous age, nor founded on any national policy, but sprang, as Hallam remarks, "from the chaos of anarchy and intestine war which it was calculated to perpetuate." It never prevailed in England before the invasion of William of Normandy, who conquered the country with an army of Norman vassals and French and Flemish mercenaries.* The Saxons, in their courts of the hundreds and the shires to which originally every freeman had a right to admittance, and in their approach to trial by jury, had a rudimentary court of justice which allowed scope for the popular voice, for the indispensable claims of the church, and the nobility as well as for the limited control of the crown. Under sunny influences this system might have borne earlier and better fruits, though, fortunately, it was not entirely lost in after ages.

William the Conqueror treated the Saxons with the last degree of severity and contumely. He enriched himself and his needy and rapacious followers with the wealth and lands of the vanquished, laid waste large tracts of country to convert them into deer forests, enacted game laws of atrocious severity, and traced the boundaries of a rigid and arrogant distinction of classes, by reducing the whole Saxon population to a most degraded, oppressed, and pitiable condition.

It is indeed necessary to study some of the details of the Conquest to realize the thoroughness of the spoliation which the English people endured. It was the last, at least in Western Europe, of those conquests where the victors deprived the vanquished not only of their civil government or separate political existence, but of their lands, property, privileges, and even of their personal freedom. The Franks, Goths, or Burgundians seized upon a great part of the landed territory which they occupied; but their rude and illiterate condition compelled them to leave many offices of trust and importance in the hands of the Roman Provincials. The Norman French, more advanced in civilization, deprived the Saxons, not only of the possession of most of their lands, but of all civil and ecclesiastical dignities. The Normans, considering the rapid and violent manner in which they obtained the possessions of the Saxons, showed an extraordinary zeal and diligence in securing their titles by deeds and parchments. The feudal system, already forged and welded on the Continent, was fitted to the English people like the chains on a slave. The basis of this system was the grant of the possession and jurisdiction of a portion of land in consideration

* On Feudalism, as it existed in Normandy before the Conquest of England, see Palgrave's prolix work, "England and Normandy," Chap. IV., Part I., p. 523-537. Part II., p. 793. For some pertinent remarks on the early English assemblies of the Mark, Shire, and Witan, see the "History of the Norman Conquest," by Edward A. Freeman, M.A. Oxford: 1867. Vol. I. Chap. III.

of military service. The Norman, Flemish, or Breton adventurers, who thus became English noblemen, governed their vassals with little regard to any superior authority. But the sagacious Conqueror, in bestowing the despoiled lands on his needy and expectant followers, had arranged that all feudal grants should be held directly from the crown; and hence the custom of subinfeudation, by which the more powerful barons granted land on the same system of tenure to those serving under them, never gained much ground in England. The nobility, therefore, was not so powerful nor so independent as in France; and, in consequence, the English people was sooner able to escape from their oppression. The English barons were compelled to league together in order to make head against the Crown, and both the King and the barons were anxious to obtain the assistance of the people, by granting certain immunities to the towns, and by favouring the abolition of villenage. Thus Henry I. tried to strengthen his claim to the Crown of England by engaging to restore the laws of Edward the Confessor, and the nobility by forcing King John to sign the Magna Charta did something which in the end led the way to the diminution of their own power. Assuredly this was what they never intended, and, indeed, during the troubled reign of Henry III., while the confederacy of barons was triumphant, they prevented the royal judges making the circuits, justly fearing that such an institution would soon reduce their own arbitrary jurisdiction to narrow limits.

In the days of violence and misrule succeeding the Norman Conquest, the contest against the oppression of the crown and the nobility partook of the character of a struggle between two races; but as the distinction of Norman and Saxon faded away, it became more and more a struggle between a privileged class, occasionally recruited from the ranks of successful soldiers, and an oppressed but industrious people, gradually awaking to the sense and gaining the exercise of the rights of men. The murder or execution of the Saxon William Longbeard, in the reign of Richard I., so touchingly described in Thierry's "*Histoire de la Conquête d'Angleterre*," is perhaps the last marked incident of the struggle between feudal rule and municipal pretensions, where the actors wore the garb of Normans and Saxons. The inhabitants of the large manufacturing cities of Flanders and the wealthy towns of Southern France at an early date rose above the pretensions of the feudal nobility; and we know from contemporary historians that the success of these efforts was viewed with jealousy and dislike by the nobility of England and Northern France.

It is not our purpose to show how the powers of the nobility were successively curtailed by the rise of the popular orders and

the establishment of central courts of law. Suffice it to say, that the large towns in the hard times succeeding the Conquest afforded a refuge to the oppressed villeins,* and continually growing in population, freed themselves from the authority of the barons, till at last, governed by their own laws and the laws of the empire, they gained for England those free institutions of which she is so justly proud, and which she has communicated to Scotland and Ireland, and taught to the whole of Europe. It was the habit of self-government, gained within the walls of these towns, which enabled the country to escape both from aristocratic and regal oppression. Had England been destitute of large and populous towns, she would never have got loose from the thralldom of feudal tyranny, save perhaps to pass under that of a despotic central government.

From the earliest times we commence to trace this broad distinction between the town and country. The towns are free from or struggling against, the country is subjected to, the tyranny of great landed proprietors. It is perfectly true that the rise of a free peasantry and the bold and manly spirit of our yeomanry were of much avail in the battle for freedom; still, to use a military phrase, liberty could not have made these orders the basis of her operations. Without the towns, the struggle would have been carried on and ended in a different manner.

The feudal lord had the same motives for observing the bounds of humanity in his treatment of his serfs that a man has in taking care of his horses. As the baron expected his serfs and tenants to assist him in battle, he was naturally anxious that they should be well fed, robust, well armed, and attached to his person; and though the English peasantry undoubtedly suffered cruel wrongs from their arrogant and haughty masters, and were more than once goaded into rebellion, it is clear that the powers of the feudal lords were not often pushed to their extreme length, and that they let slip privileges which the more commercial tyranny of modern landlords would have vigilantly insisted upon. There is no doubt that a very large portion of the English peasantry passed from villenage, in which condition they were incapable of holding any property (or at least could be deprived of it at the pleasure of their lord), and that they so passed without any express manumission or decree of liberation. A great number of these serfs had become tenants or free labourers

* A residence of three years, in some cases one year, in an incorporated town, protected a villein from the claims of his former owner. In the early Greek States the larger proprietors living within walled towns seem often to have formed oligarchies, holding the dwellers in the country under them. On this subject see the excellent remarks of Grote, "*History of Greece*," Vol. III., Part II., Chap. IX.

before the middle of the fourteenth century, and ere the close of the sixteenth there were scarcely any left in England.*

Mr. Rogers questions the correctness of the inferences of Hallam, who was disposed to believe that the gradual emancipation of the villeins was due to the scorn which the nobility might have felt in insisting upon all the paltry cesses due by their dependents. "There is certainly," he remarks, "no warranty for such a view. A very cursory examination into such accounts as have contributed the material for these pages is conclusive to the contrary, and shows that no source of income, however small, was neglected or unappropriated by the feudal superior."† But though the registers and accounts which he has consulted of course record the rights to petty taxes on which the feudal lords insisted, they do not explain how these rights were through time allowed to slip, and there is the undeniable fact that they were allowed to slip. Mr. Rogers traces the liberation of the villeins and the growth and prosperity of a free tenantry to such great economical causes as the black death, which created a keen demand for free labour, and rendered the villeins ready to flee away, and difficult to be held to their lands under the old hard conditions. This rendered the cultivation of estates by bailiffs difficult and unremunerative, and made it the interest of the feudal lords to be indulgent to the cultivators. The feudal lands were at the same time gradually alienated in small parcels, and passed into the hands of small proprietors. The towns still kept increasing in importance. The influence of the citizens of London, though perhaps not so great as Froissart represents, was no doubt felt in a marked manner in the dethronement of Richard II.; and liberty gained ground under the two first princes of the house of Lancaster. Towards the close of the feeble reign of Henry VI. great efforts were made to control the votes of the yeomanry, for the authority of parliament, so often called to judge on highly important matters, was getting stronger. The fierce old Norman barons slew one another in the wars of the Roses; and both the English yeomanry and the vassals of the nobility made a step towards independence. Under the firm rule of the house of Tudor, the kingly authority superseded the feudal powers of the barons; and the statute of alienation‡ or of fines, originally enacted in the reign of Richard III., enabled them to sell their land, while another law of Henry

* See Hallam's "Middle Ages," Vol. III., Chap. VIII., p. 271, and Buckle's "Civilization in England," Vol. I., p. 577.

† See Rogers, Vol. I., p. 64.

‡ Harrington's "Oceana," 1656, pp. 3-5. Rogers' Preface, pp. vii. viii. Porter's "Progress of the Nation," Sect. I., Chap. IV., p. 86.

VII. caused their numerous retainers to be dispersed. Instead of taking their revenue in kind, and spending the best part of it in feeding these retainers and in indiscriminate hospitality, they began to take their rents in money, which they spent upon themselves, dealing principally with merchants and artificers, who were in no way dependent upon the good will of one, however wealthy.

At the same time the towns, especially during the reigns of Elizabeth, James I., and Charles I., went on increasing in population and wealth with great rapidity; and the new tenets of the Reformation, as well as the revival of letters, helped to foster ideas of political independence. Had this series of changes commenced one or two generations earlier, it is probable the nobility would not have had sufficient power and influence to get into their possession the lands of the church forfeited in the reign of Henry VIII. But in spite of this great accession of wealth, and the concentration of baronial powers in the House of Lords, by the exclusion of the large number of spiritual peers, such as abbots and priors, who, joined to the bishops, outnumbered the temporal peers, the working of the statute of alienation broke down the pillars of baronial power, and, as the sagacious author of "*Oceana*" has remarked, not only helped to unseat the king, as the barons had often done, but to overturn the throne itself.

The feudal services due to the king from the nobility had gradually fallen into disuse. They were suppressed by an ordinance of Cromwell, and finally abolished in the reign of Charles II. Harrington, in a book addressed to Cromwell a short while before his death, advised the enactment of an agrarian law compelling every one that drew more than two thousand a year from land to divide it at his death. This proposal was not by any means so unnatural as the law of entail, which in the reign of Charles II. fixed the rule of the nobility and gentry in the country districts on a surer footing than ever.

"We owe the fact," says Mr. Rogers, "that the great English nation is tenant at will to a few thousand landowners, to that device of evil times—a strict settlement. We are informed that the machinery which has gradually changed the whole character of the rural population of England, was invented by the subtlety of two lawyers of the Restoration—Palmer and Bridgman. As there have been men whose genius has bestowed lasting benefit on mankind, so there have been, from time to time, exhibitions of perverted intellectual activity whose malignant influence has inflicted permanent evils."*

The holders of feudal estates now managed to get them freed from all feudal services and burdens, while the loss suffered by

* Rogers, *Op. cit.*, Vol. I., p. 693.

the government was met by a tax on the whole community.* The barons were responsible to the crown for the use they made of their lands. Now, while abandoning the last traces of control over their vassals, they gained an unlimited control over their estates, and soon found out how the one power brought back the other. It was the object of the law to make large numbers of men dependent on a few for the means of their subsistence, and as long as this relation stood, so long was the civil and political liberty of these dependents at the mercy of the encroachments of an oligarchy.

"Lands, or the parts and parcels of a territory," writes Harrington, "are held by the proprietor or proprietors, lord or lords of it, in some proportion; and such (except it be in a city that hath little or no land, and whose revenue is in trade) as is the proportion or balance of dominion or property in land, such is the nature of the empire.

"If one man be sole landlord of a territory, or overbalance the people, for example, three parts in four, he is Grand Seignior; for so the Turk is called from his property, and his empire is absolute monarchy. If the few, or a nobility, or a nobility with the clergy be landlords, or overbalance the people unto the like proportion, it makes the Gothic balance (to be shown at large in the second part of this discourse), and the empire is mixed monarchy, as that of Spain, Poland, and late of Oceana (England).

"And if the whole people be landlords, or hold the lands so divided among them that no one man, or number of men, within the compass of the few, or aristocracy, overbalance them, the empire (without the interposition of force) is a commonwealth.

"If force be interposed in any of these three cases it must either frame the government unto the foundation, or the foundation unto the government; or holding the government not according unto the balance, it is not natural, but violent; and therefore if it be at the devotion of a *prince* it is *tyranny*; if at the devotion of the few, *oligarchy*; or if in the power of the people, *anarchy*, each of which confusions, the balance standing otherwise, is but of short continuance; because against the nature of the balance, which not destroyed destroyeth that which opposeth it."

In America, Canada as well as the United States, you have real commonwealths, as the land is equally shared amongst the citizens. In France you have an example of a commonwealth—a real democracy in its spirit, if not in its form, which became for a time the prey of military usurpers, but which is slowly righting itself. In Germany you have a king resisting the encroachments of democracy with a standing army more docile

* Rogers, *Op. cit.*, Vol. I., p. 93.

and moveable in its organization than that of the party of progress. But it is not difficult to foresee that with the nobility losing its hold upon the land the people will in the end win the victory. In Great Britain you have a landed oligarchy balanced against a large and wealthy trading population, but this balance is unnatural, since it requires the pressure of feudal law to hold the scales equal.

Monopoly of land is the very fortress of the powers which the aristocracy have over the rural districts. A very large portion of our soil is kept together by the law of entail. The holder of an entailed estate has only the right to enjoy the produce or rents during his life ; and great precautions have been taken to prevent him setting at nought these restrictions by granting fictitious leases, or any other evasions. Nor is he allowed to divide his estate among his children ; it goes entirely to the eldest son or his heir, to be enjoyed and transmitted in the same manner.

These laws were not originally a part of the feudal constitution. At first fiefs were resumable by the sovereign, and although females were looked upon with disfavour from their incapacity for performing military service, the eldest son was not the only heir to his father's lands. Such a practice, indeed, is too repugnant to every notion of justice and every whisper of natural affection to pass at once into law without some preparation. But it is easy to see how the exigencies of a troubled state of society should demand the concentration of power in the hands of the elder brother, and again how these elder brothers becoming rulers and legislators should have changed a custom into a law which has survived the conditions that might appear to have rendered it excusable. If the parent suffered, the class reaped the benefit. The nobility, fearing that in the natural course of inheritance their estates would become subdivided till power and wealth were lost and dissipated, sacrificed the happiness of their families and the welfare of all their children but one, to maintain the greatness of their name and order ; as the Rajput chieftain murders his female children to save himself the expense of an ostentatious marriage ceremony, or the insult of their remaining unmarried.

The barons found this law of great advantage to them in preserving their family estates from forfeiture, and it was with a view to this immunity that it was introduced into Scotland* (1685). But as Blackstone tells us—

“The law of entail was from the beginning the occasion of infinite difficulties and disputes. Children grew disobedient when they knew they could not be set aside ; farmers were ousted of their leases made

* Laing's "History of Scotland," Vol. IV., Book IX., pp. 166-168.

by tenants-in-tail—for, if such leases had been valid, then, under colour of long leases, the issue might have been virtually disinherited; creditors were defrauded of their debts—for, if tenant-in-tail could have charged his estate with their payment, he might also have defeated his issue by mortgaging it for as much as it was worth. Innumerable latent entails were produced to deprive purchasers of the lands they had fairly bought, of suits in consequence, of which our ancient books are full, and treasons were encouraged, as estates-tail were not liable to forfeiture longer than the tenant's life, so that they were justly branded as the source of new contentions and mischiefs unknown to the common law, and almost universally considered as the common grievance of the realm."

It was with great difficulty and with much opposition from the nobility, that a number of changes were cautiously introduced at every favourable opportunity. At the present time entailed estates are liable to be sold, under certain conditions and certain circumstances, for debt, and the owner may charge them with reasonable leases; he is liable to forfeit them for high treason, and in some awkward cases arrangements may be made for improvements, or (to do both is hardly possible) for charging the estate with jointures for widows, as well as for making some provision for younger children; but this must be the subject of mutual consent and special arrangement between the father and eldest son. The other children have neither voice nor right in the matter; and as both the ruling parties have been gainers by the law of entail, they are, it may be supposed, not averse "to give it fair play." We must, however, carefully distinguish between these apparent relaxations of the law and the manner in which they act, and it may be fairly stated, without entering into legal details, that the rule of leaving all the property to the eldest son, with at best a very inadequate provision for the younger children, and frequently with none at all, prevails at present in noblemen's estates in England.

The first act of entail in Scotland (1685), though short, was not only strict but difficult to evade. A man who broke through the conditions of the entail could be expelled from his estate by the next heir. The statute had to be modified by succeeding enactments, but Scottish entails were always, as a rule, stricter than English ones. They gradually included more than one half of the kingdom. It is certainly to the honour of the Scottish bar that many of the most eminent of its members have come forward and freely denounced the evils which arose from entails,* although

* See "Considerations on the Inexpediency of the Law of Entail in Scotland," by Patrick Irvine, Esq., W.S. Edinburgh: 1827.

The total number of entail cases decided in about six years and a half in Scotland was 2881.—"Notes on the Pecuniary Interests of Heirs of Entail," by W. T. Thomson. Edinburgh: 1849. P. 32. Also, "Digest of Entail Cases," by John M. Duncan, Advocate. Edinburgh: 1856.

they were the occasion of more litigation, and litigation, too, of a very lucrative character, than anything else.

It was mainly because some of the Scottish nobility and gentry felt the grievance intolerable that steps were taken to get it altered. By the Rutherfurd Act, a man born after 1848, or heir to a deed of entail executed after 1848, can dissolve it; if the entails date before this year, it cannot be quashed save with the consent of at least the next two heirs. But this law is discretionary, not compulsory, and landed proprietors are hardly yet disposed to seek its assistance.

Laws passed to modify these aristocratic monopolies are always framed in a manner which makes them useless for the public good, and only operative to suit some peculiar family convenience and agreement not likely often to take place. The law having made the injustice easy and obligatory, provides a difficult and expensive way of mitigating some of its effects.

We have no desire to weary our readers by stating the objection to entails, their injustice to the public in keeping so much land out of the market and thus enhancing the price of the remainder, as well as by imposing artificial and often unforeseen difficulties to the improvement of estates; their injustice to creditors, who are often unable to ascertain the real wealth and liabilities of the holders of entailed properties; their injustice to the holders of entailed estates themselves, who are mere life-renters, unable to provide for their younger sons and all their daughters save by sacrifices to which they are not inclined, and which they cannot from their social position find easy to make. At the same time this very position tempts and helps them to throw their debt on the country, and fill our public service with nepotism and unfair supercession.

The law of primogeniture, unlike the law of entails, applies to all the immovable property in the country save the county of Kent. If a man die intestate, his landed property goes entirely to the heir-at-law, whilst the other children or relations get nothing but the personal property divided amongst them. And it has been arranged, in order to make the injustice more telling, that legacy and probate duties should fall heavily upon moveables and lightly upon landed property.

The law of entail and our expensive and tedious system of conveyancing at least accomplish the end aimed at: they hold land in a few hands, and render its sale undesirable, save to the wealthy. Not so the law of primogeniture, which every one whom it concerns struggles to defeat by making a will. We have thus a law which suits nobody, whose provisions every man of sense and foresight escapes, and which only overtakes the heedless and unwary.

In no country in Europe are there more legislative and judicial powers legally, or by inveterate usage, associated with the possession of land than in Great Britain. The House of Lords is mainly composed of extensive proprietors of entailed estates, the heirs of the feudal traditions of an ancient and powerful nobility. Change and improvement are ominous words to them, and it is likely enough that every innovation would be resisted by the House of Peers without compromise, did they not feel that the continuance of their legislative privileges is founded upon traditional assent rather than upon intelligent approval, and that it would be dangerous to make the public inconvenience of the existence of a House of Peers greater than the dreaded inconvenience of a revisal of our Constitution. There is nothing they fear more than a contest with a large majority of the Lower House supported by the public opinion of the country, hence the desire of having a strong party in the House of Commons.

The House of Peers may be fairly considered as the representative and supporter of the pretensions of the other great landholders, with whom they share certain administrative functions as well as a community of interests and feelings. The landed aristocracy have long lost much of their hereditary right of being judges in matters where important interests are at stake; but the amount of direct and indirect jurisdiction which still remains in their hands is by no means trifling.

Few people care much about manorial courts, which still exist both in England and Ireland, and the matters on which they decide are now generally of a private character. They are principally noteworthy as the relics of a feudal institution. At one time these courts possessed in many cases the right of life and death; sometimes they called jurors and proved wills. Their ordinary jurisdiction was against the breaches of the peace and the adulterations of food, and light weights. Two ale-tasters were kept attached to each court, to test the strength of every cask of ale brewed. There is no reason to doubt that such affairs of rural politics were better regulated in these times than they are at present.* If the nobility could not prevent the old system becoming obsolete, they can at least hinder a new one being put in its place.

The English institution of justices of the peace might be a much more valuable one if they were less exclusively landed proprietors, or those known to be subservient to their political opinions. They are nominated by the Lord Lieutenant, or rather by the *custos rotulorum*, the confirmation of the Lord

* See Mr. Rogers' curious chapter on Medieval Justice and Courts, *op. cit.*, Vol. I., pp. 67-118.

Chancellor being a mere matter of form. While acknowledging the advantage of speedy and summary justice, it is scarcely necessary to allude to the gross incapacity of many of these rural judges, to the narrow prejudices by which they are often swayed, and to the informal nature of the proceedings in momentous cases, especially to the want of depositions. In addition to their judicial functions, they have in England the right of sitting with the elected members of the Boards of Guardians in the proportion of one-third.

Absurdly enough an appeal from them generally goes to the Quarter Sessions, a Court entirely composed of Justices of Peace ! They try a number of inferior civil suits and criminal offences, some of which are secured by particular statutes against appeals to the Court of the Queen's Bench, besides transacting important administrative business.

"The mode of formation," observes Mr. Mill,* "of these bodies is most anomalous, they being neither elected, nor, in any proper sense of the term, nominated, but holding their important functions, like the feudal lords to whom they succeeded, virtually by right of their acres, the appointment vested in the Crown (or, speaking practically, in one of themselves, the Lord Lieutenant) being made use of only as a means of excluding any one who it is thought would do discredit to the body, or, now and then, one who is on the wrong side in politics. The institution is the most aristocratic in principle which now remains in England—far more so than the House of Lords ; for it grants public money and disposes of important public interests, not in conjunction with a popular assembly, but alone. It is clung to with proportionate tenacity by our aristocratic classes, but is obviously at variance with all the principles which are the foundation of representative government. In a County Board there is not the same justification as in Boards of Guardians for even an admixture of *ex officio* with elected members ; since the business of a county being on a sufficiently large scale to be an object of interest and attraction to country gentlemen, they would have no more difficulty in getting themselves elected to the Board than they have in being returned to Parliament as county members."

We have a remnant of Anglo-Saxon institutions in England in the election of coroners, and in the local meetings at which poor rates are voted, and boards or surveyors elected to manage the roads. Those who pay poor-rates elect representatives to vote the necessary imposts, each elector voting according to the amount at which he is rated, up to six votes. In Scotland, on the contrary, the taxes for the maintenance of the roads are entirely levied by the country gentlemen ; each

* Considerations on Representative Government, Chap. XV.

landed proprietor above 20*l.* has a right to a seat at the parochial board ; and all the other inhabitants of the parish who contribute one entire half of the poor-rates are represented only by four elected members. The landed proprietors, therefore, can easily carry everything their own way. Thus, while in England the country gentlemen only vote for the expenses of prisons and maintaining county bridges, all the local taxes in the rural parts of Scotland are voted by the landed proprietors, and the country population of the North have as little power directly to control the amount of local taxes as the inhabitants of the most despotic countries in the world. Moreover, these parochial boards have in some cases a magisterial power to carry out certain statutes, such as the Public Health Act, though it must be confessed they do not often do so.

While the privilege of leading our soldiers into battle is the prize of money and interest, the right of taking charge of the souls of the people belongs to the lords of the soil. On the seizure of the Church lands at the Reformation, the Crown came into possession of some of the patronage belonging to the endowments, and some were secured to the bishops and other ecclesiastical dignitaries, but the greater number fell into the hands of the nobility. The right of advowson or presentation is sometimes separated from the land and sold for the next two lives by public advertisement. Presentation may be made by females, and even by a child whose hand requires to be guided to make the mark required to put the aspirant into possession of his cure of souls in the church of God. That non-residence and plurality of benefices should exist ; that the higher livings should be extravagantly paid, and the lower ones scarcely paid at all ; that the Church of England should be deserted by the lower classes, and little loved by any class, is a natural consequence of the vices in her constitution rather than her creed. The loving humility and social equality of the New Testament is transmuted into something cold and unattractive by the aristocratic traditions and artificial hierarchy of the Anglican establishment. Educated at universities, whose rich foundations and beneficent endowments have been usurped and monopolized by the powerful and wealthy classes, who least of all need their aid, trained to regard respect of persons as at once his first duty and his nearest interest, the Anglican parson is too apt to become the client, the partisan, or the ally of the rich rather than the father and the friend of the poor.

Fortunately for the Church of Scotland its constitution, originally framed in republican Geneva, approached nearer to the democratic simplicity of the Gospel. Its clergy has no distinction of rank, the duty of oversight being discharged by annual assemblies of ministers and elders. Hence Presbyterianism has taken a deep root in the North ; and even the numerous bodies

of Dissenters imitate the constitution of the church which they wished to destroy. The point of disunion is the right of patronage granted to the larger landed proprietors.

Most of the country livings are filled up by proprietors of land who are rarely members of the church. It is true that these gentlemen pay a large share of the taxes which go to maintain the ministers and keep up the churches, but it is by no means clear that these dues were originally their own property, or ought to be abandoned to them if church establishments were abolished. Certain it is that this law of patronage has from the very beginning been the cause of dispeace and schism, and if not abolished will in the end tear to pieces the Established Church of Scotland. But all those powers and privileges conjoin to create a social influence which in the rural districts is perfectly overpowering, and which has in many places deprived the country inhabitants both of their political freedom and social independence.

The prevalence of illegal intimidation in the elections of members of parliament has been so clearly established by recent inquiries as to dispense with the necessity of adding illustrations. Since the time of William of Orange, when the ascendancy of the Lower House began to be fairly established, down to the Reform Bill of 1832, the landed aristocracy have held the government of the country in their hands, and, though obliged to make occasional concessions to the popular spirit in the large towns, have in the main governed the country districts as they desired. A few figures will illustrate at once the possessions of our aristocracy and the extent of their influence on the elections of the House of Commons. It is said with some approach to truth that the half of England belongs to 150 individuals. A map of Great Britain with the domains of the great landholders marked in colours would be a most suggestive document. Five men are said to possess one-fourth of Scotland. Their territory hems in towns, whose growth they check by denying feus. Cobden calculated the number of landed proprietors in the United Kingdom at 30,000. Mr. Disraeli gave out the number of freeholders in England at 300,000, but most of these are proprietors of small houses. The number of landed proprietors in Scotland has been variously estimated at 6428 and 7800; the number of proprietors in Ireland at about 9000. A very little reflection will enable one to perceive how such vast wealth and such wide and often exclusive territorial possessions may be transmuted into arbitrary power. A man who has hundreds of farms to let, who is patron of dozens of English livings and Scotch churches, lord-lieutenant of one or two counties, and who nominates the magistrates of several towns, can indulge himself in the sweets of power without apparently

sacrificing any of his income, by granting no leases or short leases, and uncertain tenures, turning out refractory tenants, and rewarding servility with the appointments at his disposal. Nor is it very wonderful that, surrounded from his birth with flatterers, he should fancy his mental abilities so vast that he can direct the votes of all his tenantry, and as many of his neighbours as expect anything of him, much better than they can themselves. The object of the Chandos clause, so dexterously introduced into the Reform Bill of 1832, was to keep the election of the county members in the hands of the farmers who became the most numerous class of electors; nevertheless, no class was worse represented.

Those agricultural grievances, such as the Game Laws, or the denial of leases, the laws of hypothec and distress, which pressed most heavily upon the agricultural class, found their most vociferous defenders amongst the very representatives whom the agriculturists were forced to elect; and the farmers were compelled to declare their real opinions in their Chambers of Agriculture and other clubs and associations. The Central Farmers' Club was called the Bridge Street Parliament.

In the petition presented by the Society of the Friends of the People in 1793 it is confidently asserted that eighty-four individuals, by direct and undeniable patronage, returned 157 members to the House of Commons, and that there was good reason to believe that 150 more were returned on the recommendation of seventy others. Thus a decided majority of the House was returned by 154 powerful landowners. Seventy seats were also said to be at the command of Government. Before 1832 Lord John Russell said in full chamber that seven peers seated sixty-three of their creatures; and Lord Grey stated that 230 members were elected by 15,000 votes. Mr. Disraeli calculated the number of nomination boroughs before the Reform Bill of 1867 at eighty-four seats. A political writer, in an able work styled "*Essays on Reform*," in 1867, calculated the aristocratic ingredient in the House of Commons at 326, of which 175 were Conservatives and 151 Liberals. This included 100 commoners connected with the nobility by marriage or descent, and did not include squires or owners of landed property, who would swell the list to 500 territorialists. In a book called "*The Great Governing Families of England*," by Sanford and Townsend,* the writers state their opinion that the aristocracy could then still command one-half of the representation of the House of Commons if they brought all their influence to bear. According to them, there were 285 aristocrats in that House of 1864, one-fourth

* Vol. I., pp. 4-7.

of the members being supplied by thirty-one families. In the House elected 1865, one-third were sons of peers, or nearly connected with the aristocracy. The territorialist element in the present House is still very strong.

Every arrangement of our laws and constitution has been turned to work for the advantage of the landed aristocracy, who, by irresistible bias, have ever preferred the interest of their own order to the opinions which they professed to represent. The vigorous *esprit de corps* of the British aristocracy gained on those who had made fortunes in commerce, who were willing enough to buy land at any price in order to surround themselves with the influence and authority connected with the possession of an estate. A harsh and selfish spirit of exclusiveness and arrogance was thus copied from one grade of society by another, till it formed those traits in English manners so disagreeable to foreigners, but which have now happily become considerably modified.

The student of English history cannot fail to have remarked the gross selfishness of what was called the landed interest in evading its share of the burdens of the community. The imposition of those cruel and unjust corn laws, which for so many years kept the "poor labourer poorer in order to make the rich landlord richer," is a proof at once of the extraordinary selfishness and extraordinary power of our landed aristocracy. But while, in order to keep the control of the parliament, they had to struggle, often unsuccessfully, against the influence of the great towns, they held the management of the rural districts almost entirely in their grasp.

Feudal law reigned in the country, Roman law in the towns—that strange antithesis so little remarked in the British Constitution. No doubt the country derived some benefit from the independence which wealth fosters, and from the liberality which culture and leisure will create even amongst a privileged class; and on some occasions the House of Lords was more enlightened than the House of Commons. The country gentlemen, when their own interests were not at stake, dispensed justice and encouraged industry; but, taking it all in all, the influence of our rural polity seems to us to have been singularly unfortunate.

The English yeomanry, with their small holdings intermixed with the great domains of the nobility, helped to sustain for a time the independence of the country, till the accumulation of wealth and increase of population in the larger towns turned the balance of power against the landed aristocracy. According to Macaulay, more than one-seventh of the whole population of England in the reign of Charles II. derived their subsistence from little freehold estates. The disappearance of this most useful class of men is to be accounted for by a variety of causes all

tending in the same direction. Many of the more wealthy amongst them ran into debt in the attempt to rival the style and dignity of country gentlemen. Others were tempted to sell their estates to enable themselves and their children to venture on the more lucrative pursuits of commerce or the stirring career of arms. Many of the smaller freeholders emigrated. It would be difficult indeed to prove the assertion of a democratic writer that the descendants of our yeomanry now work as labourers on the lands of their ancestors. Certain it is that the class of small proprietors is sadly diminished, and that their lands have fallen into the possession of the neighbouring gentry, standing firm and expectant within their lines of entail; and that, by intermarriages and inheritance, the estates of large proprietors are also passing into fewer hands. It has been calculated that in 1770 there were 250,000 landed proprietors in England. M'Culloch estimated that there were about 200,000 landed proprietors at the beginning of this century; now there are, as already said, about 30,000; and though the number of tenancies is increasing, it seems likely that the diminution in the possessors of cultivated land is still going on.

Formerly in most parishes of England and Scotland there existed tracts of unenclosed land which belonged to the community, in which the dwellers around could graze a cow or keep a flock of geese. These commons were what remained of the Anglo-Saxon folkland which had been slowly granted away into bookland or allodial possession by the king and his witenagemot. It was, indeed, necessary for the due increase of the productive powers of the country that part of these uncultivated lands should be reclaimed, which might have been done by bestowing them on the landless poor of the neighbourhood, who had the best right to them. As it fell out, they gradually came into possession of the dominant class. By cautiously choosing his opportunity the wealthy proprietor could often manage to enclose bit by bit of the common property without his poorer neighbours venturing to commence legal proceedings against him. Such a process probably commenced in early times. The petition in Shakspeare, *Henry VI.*, Part II., against the Duke of Suffolk, for enclosing the commons of Melford, is probably a sample of the obscure struggles of townships against powerful noblemen. Under the protective system of the landed monopolists, it seemed much more reasonable that the commons should be taken from the people and transferred to their own class, than that the nation should be allowed to buy corn from an open market. The Commons' Committee on waste lands recommended the addition of new acres to those under cultivation, "as the only effective means of preventing that importation of corn, and disadvantage therefrom,

by which this country had already so deeply suffered." Here the Committee was possibly quite serious.

The first Enclosure Act was in 1710, and more recently during the reigns of George II. and George III., and, by the Commons' Enclosure Act of 1836, further facilities were afforded for the conversion of commons into arable land. Compensation was indeed voted to the immediate losers by the change, but, as Mr. Thornton has remarked, in ninety-nine cases out of a hundred, the poor man has lost his right of common without any permanent equivalent. The amount of land thus enclosed must have been between 3 and 4,000,000 acres.* But it must not be supposed that all of this was devoted to corn crops.

In the meantime the landed proprietors of the North were busy evicting the Highlanders and reducing arable lands to grass.

The ease with which most of the mistakes in our internal administration can be traced to the influence of the "landed interest" may appear to some almost suspicious. But in quoting a work like Mr. Massey's "*History of England during the Reign of George III.*," no one can accuse us of perverting history.

"The practice," says Massey, "of encouraging early marriages, and of giving bounties on the production of the human species in the shape of rewards to the parents of large families, which country gentlemen and parish clergymen thought the highest offices of patriotism, did, in fact, depress the moral as well as the physical condition of the poor. They were thus given to understand that the prudence and restraint which, in regard to marriage, are prescribed to the higher ranks of society, are virtues with which the lower orders had no concern, that they fulfilled the end of their creation by perpetuating their kind, and that such of their offspring as were not required for the service of the commonwealth, had a right to be maintained by its charity.† It followed that a peasantry, bred and nurtured under such a system as this, should be, for the most part, devoid of the independence and self-reliance which distinguish free labourers from serfs. They were oppressed by paternal government in its most degrading form. Employment was found for them; their children were apprenticed without consulting them; and if they sought to better their condition by

* According to Spackman—"Analysis of the Occupations of the People," page 31—there passed from 1801 to 1844, 2044 inclosure bills, reclaiming or enclosing 3,740,520 acres of land. Massey—"History of England during the Reign of George III.," Vol. IV., Chap. XL., page 521—remarks, that the extent of land enclosed is estimated in round numbers at 340,000 acres in the half century before the accession of George III., and at nearly 3,000,000 in the thirty-six succeeding years.

† "The principle of paying wages to surplus labourers out of the rates, in proportion to their families, has been extirpated from the poor-law only within the last quarter of a century. It had lasted nearly long enough to complete the demoralization of the labouring classes, and was fast undermining property itself."

seeking their fortune abroad, the law of settlement proved an effectual obstacle.

"To maintain this system in the agricultural districts, it was necessary that artificial prices for his produce should be secured to the farmer, by protecting him against the competition of the foreign producer. The result was, that when a bad harvest raised the price of provisions beyond the ordinary standard, the pressure fell, not upon the villages, where the people lived upon the rates, but upon the towns and manufacturing districts, where the employment of the working people was regulated by the demand of the general market for labour, and a rise in the price of the necessaries of life diminishes the demand for manufactures, the pressure of laws which impede the supply of food ultimately falls with intolerable weight upon the small shopkeepers, and on the more intelligent and industrious classes of the labouring population."*

The vicious nature of our landed tenure would have produced wider and more disastrous results had it not been for a number of counteracting causes whose operations may be here shortly indicated. A great part of the arableland in England had been brought under the plough either by freeholders or by tenants working under a pretty secure holding. Both Hallam and Mr. Rogers are of opinion that the quantity of arable land in the thirteenth and fourteenth centuries was nearly as large as in the present age. The accumulation of land in a few hands is an event of comparatively recent accomplishment, though the ejection of tenants, the diminution of the numbers of our yeomanry, the turning of arable land into grass, and the enclosure of commons, have been subjects of complaint from early times.

No doubt some of the enactments† framed to prevent these changes have shown an ignorance of political economy. Yet such an artificial arrangement as the feudal system might require some artificial restrictions on its workings. There was no field for emigration in the days of the Tudors, and noblemen were beginning to turn away their retainers. Surely then, it was better that the land should be kept under the plough, even if the price of butchers' meat were raised, and England should not export a certain quantity of wool and should continue to raise its own corn, than that the kingdom should be weakened in its military population and the whole country overrun with desperate men who could not find work and would not starve. Even with the help of these enactments, and in spite of the terrible severity of

* "A History of England during the Reign of George III." By William Massey, M.P. London. 1863. Vol. IV., pp. 523-24.

† Such as 4th Henry VII., and 25th Henry VIII., and 1st Elizabeth. These Acts did not, as some imagine, remain a dead letter. See the sagacious remarks of Lord Bacon. "History of Henry VII." Collected Works. London 1778. ● Vol. III., p. 39.

the law, when, as Sir Thomas More says, thieves were hanged so fast that there were sometimes twenty on one gibbet, and when confirmed vagrancy was a capital offence, the increase of robbers during the reign of Henry VIII. was a matter of universal remark. The economic effect of turning arable land into pasturage has been clearly pointed out by More and Bacon, and it was well that such changes were at least rendered slower in their operation, and time was allowed for their victims to betake themselves to new occupations.

When Macaulay insisted that American democracy would become unsafe as soon as the vast uncleared lands of the West should cease to afford a field for its surplus population, he did not perceive that our own country and our own system require the continual drain of emigration much more than the United States.

Enabled by the bounty of nature to draw a large supply of excellent fuel from the remains of submerged forests beneath the surface of the ground, England was able to devote the whole of her soil to the production of food, and in a central situation, with excellent harbours, she had admirable opportunities for foreign trade. The country was already full of large towns whose chartered institutions and free populations secured the growth of liberty throughout the whole island. They afforded good markets, procured good roads for the free passage of trade, and capital overflowed from the towns into the country, while in France, after the Revolution, the capital necessary for carrying on commercial enterprises came in great part from the country. Large farms were taken and great experiments in agriculture made. The landed aristocracy were held in check by a power which they feared to provoke. The large fortunes of the merchants excited the emulation of the nobility, and made them more ready to deal on fair terms with the farmers through whom the lands were improved; and the latter, on their part, acquainted with the comfortable style of living of the mercantile population and their high rate of profits, were not disposed to sacrifice their capital without a proper remuneration. In Scotland, a country of few proprietors, the desire of rivalling the wealthy nobility of the South was a powerful motive to induce the landlords to grant favourable leases, by which alone their estates could be improved and their rents raised.

The two great colonizing streams of our European population have come from the British islands and the Spanish peninsula; and Spain had this resemblance to Great Britain, that entails were common and burdensome, though now abolished both in Spain and Portugal. In addition, a great part of the kingdom remained in the hands of the church, and by the exertions of the *mestas*, who drove their sheep to seek fresh pastures across

the whole country twice a year, the common pasture grounds were rigidly kept out of cultivation. Thus a great part of the soil was retained in mortmain, and the cultivation of the remainder was beset with unusual difficulties, while the Moriscoes, the most industrious cultivators, were driven out. Hence the people was more ready to seek in the New World a refuge from the misgovernment of the old. In our own country the diminution of the yeomanry, the reduction in the number of small farms, and the displacement of our rural population, sent a stream of labourers into our large towns, of colonists to America, and soldiers and sailors to our armies and navies, which sustained the vast mercantile transactions, bold undertakings, and great colonial enterprises of our country. The Irish evictions and Highland clearings acted like a conscription, to fight our battles with the United States and France; but the good was temporary and indirect, and may leave evil consequences to us direct and cumulative. We have been using the capital of our population instead of its interest, and the supplies are well nigh exhausted. Our peasantry diminishing in the three kingdoms, will no longer furnish reserves to repair the wear and tear of a single European campaign. Ireland now sends her hundreds of thousands of emigrants to America instead of her soldiers into the army; for every one recruit she gives us two Fenians. If this decrease of our country population in Great Britain, and rush of emigration from Ireland is still to go on, the greatness of our wealth will only tempt other nations to avail themselves of our weakness to plunder us. We can buy food from other countries, but the raising of food is not the only service which the cultivator can give us if we dwell within the bounds of our kingdom. The more distant the market in which we exchange commodities, the more insecure is our commerce, the more liable to competition, and the more difficult to defend against hostile attacks.

The selfish policy of Great Britain suppressed the rising manufactories of Ireland, and shut her ports to the commerce of America; hence there was nothing to counteract the unfortunate influence of a faulty landed tenure, and the consequences might well satisfy us as to the nature of the experiment.

Nothing was more natural than that members of our aristocracy, whether entrusted by the crown with the management of foreign relations or sent to be governors of our colonies and dependencies, should have tried to transplant or keep alive in foreign countries those schemes of landed tenure which they imagined indispensable to good government, but which are now almost peculiar to the British Isles. If they could have overcome the resistance of varying wants and circumstances, they

would have dressed up our colonies after the pattern of the British Constitution, with its patches better marked than its beauties. The immense proprietary grants of the two first Stuart kings of England, and still more so the generosity of the profligate Charles II., bestowing upon his favourites vast tracts of land already occupied by English settlers or recognised as belonging to Indian tribes, became subjects of serious embarrassment to our rising colonies in North America, and would undoubtedly have been the cause of greater mischief to them had their early views been less democratic and their actions more compliant. John Locke, who at the request of his patron, Shaftesbury, framed the constitution of North Carolina,* was anticipated by Roger Williams, the legislator of Rhode Island, in proclaiming religious toleration; and, viewed as a whole, his constitution does him little credit. It was a weak attempt to revive in the New World the worst features of feudal institutions, a hereditary nobility, inalienable property, with serfdom and negro slavery all at once. An aristocracy like that of England is the result of conquest; and though negro slavery and the custom of transporting political offenders to work in the plantations, backed by the prejudices of the mother country, might give its American counterfeit a feeble appearance of life, it was unsuited to the free air of the forest, and soon vanished like a stone thrown into a lake. The superiority of Europeans over one another has never been the creed of our colonies. On the other hand, the constitution which Penn traced out for Pennsylvania, framed in a generous and democratic spirit, has survived with little modification to the present time.

The aristocratic spirit of our colonial administration kept up in Lower Canada the rights and duties of vassalage and successions which had been abolished in France at the time of the Revolution; and feudal customs, such as taking corn to grind at the mill of the seigneur, thus remained in the New World after having become a tradition in the Old. Such restraints have materially kept back the prosperity of Lower Canada, and prevented the influx of new settlers. It is only a few years ago that these rights were bought up with the consent of the Home Government for about a million of money. This naturally enough excited some heart-burning between Upper and Lower Canada. The inhabitants of the upper province, different in descent, manners, and religion, complained that so large a sum should be raised by general taxation, of which they paid two-thirds, to buy off local rights and privileges belonging to individuals; and no doubt the jealousy excited by this question

* Bancroft has an easy triumph over the English statesman and the English philosopher. See "*History of the United States*," Chap. XIII.

helped to cause the separation of the two into different states of the Canadian Confederation.*

There is no space left to explain the nature of the landed system in Australia, or our attempt to arrange the tenures of India. In Lower Bengal, the permanent settlement of Lord Cornwallis was one of the most disgraceful blunders ever perpetrated by men pretending to be statesmen, and involved a numerous and industrious people in misery and ruin. It is some consolation to think that the mistake was seen and admitted in time to put the settlement of the north-western provinces on a more just and wise foundation, which, nevertheless, has been blamed by ignorant Conservative writers.

"For my part," says one well acquainted with the subject,† "although I should be sorry to say that no mistakes were committed, I believe that the settlement of the north-western provinces was based upon principles that were wise and just, and, in spite of all that has happened, I believe that it is in a great measure to the application of those principles that the north-western provinces have owed, and still owe, their almost unexampled state of prosperity."

The blunders of Lord Canning, who during the progress of the war, in 1858, without any proper inquiry gave away so many of the ryot villages to the Talukdars of Oude, and wished to introduce primogeniture into the province, have been in part remedied by the labours of Lord Lawrence. But until correct ideas of landed tenure exist at home, one can scarcely expect that an aristocratic Governor General will not make blunders abroad, and we may expect one Viceroy to undo the labours of his predecessors when they are nominated successively by a Liberal and Conservative Government. The French in Algeria claim to have accomplished the problem of substituting the rights of individual property to the common right of the tribe or clan to a tract of land, without sacrificing the rights of the individual members to the claims of the chiefs.

We have now tried with as much detail as could be ventured upon, from the natural dryness of the subject, to give a sketch of our rural tenure and polity down to the present day. Its results may be briefly described as the alienation of the soil from the people, and the keeping of it in the hands of a few, principally large proprietors, the most considerable of whom have entailed estates. Most of the rents they consume in unproductive expenditure, and many, sometimes all of their duties to the people on their estate, are performed, or

* On this subject, see Chambers's "Things as they are in America," p. 75.

† The Honourable John Strachey, Member of the Indian Viceregal Council. The reader will find the question of the land tenure of India treated in the *Westminster Review* for July, 1859, and January, 1868.

neglected, by paid agents. The capital necessary for the culture of the soil is mainly furnished by the next class, that of farmers, whose interest in the land occupied by them is only temporary, since their holding it is more or less precarious, leases in England being generally short, though longer in the northern counties and in Scotland. As the number of farms is continually diminishing, owing to the grouping of small farms into large ones, and as this class of capitalists cannot well pursue the same calling in the colonies, they generally are servilely dependent upon the landed proprietors. Large estates make large farms, for they insure a safer rent, and the expenses of collection through an agent are lighter.

The third and only numerous class in our rural population is that of the labourer, whose condition seems rather to have fallen off since the abolition of villenage. The aristocratic patrons who have so long governed the rural districts have kept him ignorant and degraded, accustomed him to pauperism by bad laws, and then destroyed the cottages where he might live, and compelled him to take refuge in the towns. His only hope of improving his condition is by quitting it, and the only hope of gaining or farming a piece of land is by leaving his country.

As a remedy for the evils detailed it would probably be sufficient entirely to abolish the laws of entail and primogeniture, and our expensive system of conveyancing. It might be urged that since the interference of the legislature has been so long used to hold estates together, some interference might justifiably be called in to aid in their reduction to moderate dimensions by a compulsory law of inheritance like that existing in France, or by heavy duties on the transmission of large estates, as suggested by Jeremy Bentham and J. S. Mill; but perhaps this would not be necessary. In the course of time the natural laws of political economy would act as they do in other countries, the number of landed proprietors would increase, a class of agriculturists cultivating their own land would again come into existence, the whole character of the rural population be modified, and their independence be assured. This would entail further changes in our rural policy, which would require the extension of self-government in local affairs in the rural districts. Since the late Reform Bill has allowed a new part of the country population to vote the imperial taxes, it can hardly be expected that they will be long in claiming their right to vote all the local ones.

There may have been times when the administration of country affairs by the nobility was the only feasible one, when their power was so great that they could defy, overawe, gain over, or render useless any class of magisterial functionaries, whether appointed by the Crown or the people. It was better,

perhaps, to entrust them with the execution of justice than to have them continually interfering to defeat it. To use a figure of De Tocqueville, as long as an aristocracy can rule over the ignoble and servile masses beneath it with the same calm and unquestioned superiority that a shepherd rules over his sheep, so long can their rule be admitted and tolerated ; but it is not much to be regretted that these days are over. Though our countrymen have little envy or dislike to their rulers, and, as long as they do their duty, little desire to displace them, they have become tired of a class who have been too fond of using their powers for asserting and defending their own privileges, and who are always talking of their rights and never thinking of their duties. Our present system of rural polity—a system it may be called—is, in spite of the continual propping and repairing of the Legislature and Privy Council, utterly decrepit and unfit to meet the wants of the time. The country gentlemen charged with its administration are slack and doubtful of their powers when called to employ them for the public good. The interference of the Central Government with its boards and commissioners and surveyors is becoming greater every year, but its action is expensive, not equally diffused, and it cannot be easily made responsible. There is everywhere a want of a “local authority :” science and civilization have introduced new views of the obligations of men to one another, and there is an urgent necessity for some change.

The towns are slowly, too slowly, erecting themselves into boroughs, and taking advantage of the privileges allowed by parliament. But this will not suffice ; we must have self-government even in the country districts. The abolition of nuisances, the prevention and suppression of cattle plagues, the enforcement of vaccination (if it is to be enforced), and other details of sanitary police, as well as the poor-rates and the roads, will never be properly managed till they are so by the inhabitants themselves, without dictation or interference. It is all very well getting a Bill or a Privy Council Order to empower a Parochial Board, or a Board of Health, or the Justices of the Peace, or the Baron Bailie, or the Grieve of the Feoffee, or the Commissioners of Supply, or the Road Trustees, to do this and that which they never were originally intended or qualified to do, in order to meet some emergency which should have been better provided for.

We believe—and these considerations are especially put to those who have a practical knowledge of the management of local country affairs—that things would go on much better if the counties were divided into wards or parishes containing about four thousand inhabitants, electing four councillors, who should

nominate their own mayor or chairman, who should be, by right of his office, a justice of the peace. These councils should look after the parish roads, oversee the schools, look after the registers, grant licences, watch over the remaining commons, have power to remove nuisances, vote the poor-rates and other purely local taxes, and elect the local officials. Each council should send a deputy to the county courts, which should meet every quarter to hear certain appeals about licences and the levying of poor-rates, and to manage the great trunk roads, raising of county buildings, jails, and central poorhouses, and other common interests of the county.

Those who have studied the government of the rural districts in other countries will perceive little of novelty in such a proposal as this ; nor would it entail any abrupt change in the present exercise of power. The management of local affairs would still remain in the hands of those who possessed influence and leisure. And in a country like our own, the nobility will long be suffered to lead when they have lost the power to command.



ART. III.—THE SUBJECTION OF WOMEN.

1. *The Subjection of Women.* By John Stuart Mill. London : 1869.
2. *Woman's Work and Woman's Culture.* A Series of Essays edited by Josephine E. Butler. London : 1869.

AS may be inferred from the difference in the sources whence they severally proceed, the contents of the two volumes before us are of very unequal degrees of merit. Although they are both directed to the examination of the same subject, or branches of the same subject, from an identical or nearly identical point of view, it is hardly practicable to institute a comparison between them. In scope, tone of thought, and method of treatment, they differ essentially the one from the other. In all these respects the first stands on a level so immeasurably removed above the second, that we seek in vain for any adequate means of determining, with an approach to accuracy, the extent of space which separates them. The work of Mr. Mill is by far the most thorough and complete discussion which has ever appeared of the fundamental principles lying at the base of the question to which it relates, as well as of the question itself in all its aspects and bearings. The series of essays by Mrs. Butler and her associates seems to us to be important principally because

its publication affords further evidence, of no doubtful character that the just and rational conception of the normal *status* of one half of the human race, hitherto the exclusive possession of a few advanced and enlightened thinkers among us, is at last making itself felt throughout a wider circle, and gradually winning the universal acquiescence which we feel confident it is destined sooner or later to receive. It is an additional sign that the seed sown in times past by Godwin, Mary Wollstonecraft, Bentham, and James Mill, in our own time by Mr. Samuel Bailey, Mr. Herbert Spencer, Mr. John Stuart Mill, and by the *Westminster Review* during nearly half a century, has taken root in the public mind, and promises in due season to bring forth an abundant harvest.

It would nevertheless be unfair were we not to notice that some of the essays are conspicuous for sound sense and correct expression; those, for example, entitled "Medicine as a Profession for Women," by Miss Jex Blake; "The Social Position of Women in the Present Age," by Mr. Boyd-Kinnear; and "Female Suffrage considered chiefly with regard to its indirect results," by Miss Wedgwood. The essays "On some Historical Aspects of Family Life," by Mr. Pearson; and "The Property Disabilities of a Married Woman," by Mr. Mozley, are mainly compilations, rather indifferently executed, from well-known text books, of which the necessary dulness is not much enlivened by such original observations as the authors have introduced. The essay on "The Final Cause of Woman," by Miss Cobbe, is written, as might be expected, with the point and fluency of a veteran scribe; that on "The Teaching of Science," by Mr. Stuart, is a treasury of platitudes and commonplaces; and that on "How to Provide for Superfluous Women," by Miss Boucherett, is a prolonged but unconvincing argument in favour of *male* emigration. The essays on "Education considered as a Profession for Women," by the Rev. G. Butler, and "The Education of Girls, its Present and its Future," by Miss Wolstenholme, are fair and judicious criticisms on the deficiencies in our existing system with regard to both female teachers and female pupils, demanding as a remedy what is no more than justice: the admission of both sexes, on equal terms, to the privileges and advantages of our national and endowed educational institutions. The "Introduction," by Mrs. Butler, commencing the volume, is a fervid, almost eloquent appeal to public sympathy on behalf of what we have ventured to designate "the suppressed sex," in general. The authoress does not scruple, like many "who really are so good, so pious, and so holy," to touch, although lightly and delicately, upon that great social evil, at once the foulest blot on our civilization, the cruellest conse-

quence of our conventional notions of female propriety, and the *ne plus ultra* of female degradation. There is much in Mrs. Butler's essay with which we do not wholly agree, and a little which we do not altogether understand; but her evident sincerity and single-heartedness in the cause she has in hand, are deserving of every recognition and of all praise. As the essayists, to the extent to which they go, traverse the ground Mr. Mill has now made his own, we will here take leave of them, and follow him for the rest of our journey.

The main propositions which it is the purpose of Mr. Mill to establish in "The Subjection of Women," are summed up in the following passage from its opening page, namely—

"That the principle which regulates the existing social relations between the two sexes—the legal subordination of one sex to the other—is wrong in itself, and now one of the chief hindrances to human improvement, and that it ought to be replaced by a principle of perfect equality, admitting no power or privilege on the one side, nor disability on the other."

This sentence may be regarded as the text on which the remainder of the book is a continuous and elaborate commentary. Mr. Mill commences by attacking the prepossessions aggregated in the popular mind around the subject he proposes to illustrate; then he explains what are the present social arrangements he holds to be objectionable; next, he shows the capacity of women to benefit by the particular changes he recommends; and lastly, he dwells upon the advantages which may be expected to accrue to mankind generally should those changes be effected.

The persistence of an opinion originating in sentiment rather than in reason, instead of being diminished is usually increased when it is proved to be logically untenable. If it were founded on reasoning, its stability would be shaken should the reasoning on which it is based be refuted. But when it "rests solely on feeling, the worse it fares in argumentative contest, the more persuaded its adherents are that their feeling must have some deeper ground which the arguments do not reach," and there are so many causes tending to make the feelings connected with the *status* of woman—

"the most intense and most deeply rooted of all those which gather round and protect old institutions and customs, that we need not wonder to find them less undermined and loosened than any of the rest by the progress of the great modern spiritual and social transition."

And not only is the opinion against which Mr. Mill protests a sentimental, but it is also an almost universal prejudice. The obstacles in the way of dispelling it are consequently proportionately augmented and multiplied. The established rules of evidence and canons of logical discussion are either suspended for

its convenience, or reversed in its defence. In all other cases the burden of proof is cast upon those who maintain the affirmative; in this case it is thrown upon those who maintain the negative side of the controversy.

"Again, in practical matters the burden of proof is supposed to be with those who are against liberty; who contend for any restriction or prohibition, either any limitation of the general freedom of human action, or any disqualification or disparity of privilege affecting one person, or kind of persons, as compared with others. The *à priori* presumption is in favour of freedom and impartiality. It is held that there should be no restraint not required by the general good, and that the law should be no respecter of persons, but should treat all alike, save where dissimilarity of treatment is required by positive reasons, either of justice or policy."

But, where women are concerned, a departure is invariably made from this salutary principle, and the *à priori* presumption is at once assumed to be against all that it implies. It is then the advocate, not the assailant of equality, who is called upon to show cause why he should not, without further inquiry, submit to a nonsuit.

It is frequently asserted that the subjection of women is justified by the experience, and sanctioned by the practice of mankind in every age and in every portion of the earth. But although the generality of a custom may afford strong ground for believing that it either is or once was conducive to laudable ends, this is so only when it has been deliberately adopted as a means to those ends, and carefully selected from among others as the most appropriate for reaching them.

"If the authority of men over women had been the result of a conscientious comparison between different modes of constituting society, if after trying various other modes of social organization, the government of women over men, equality between the two, and such mixed and divided modes as might be invented, it had been decided, on the testimony of experience, that the mode in which women are wholly under the rule of men, having no share at all in public concerns, and each in private being under the legal obligation of obedience to the man with whom she has associated her destiny, was the arrangement most conducive to the happiness and well-being of both, its general adoption might then be fairly thought to be some evidence that at the time when it was adopted it was the best, though even then the considerations which recommended it may, like so many other primeval social facts, have subsequently, in the course of ages, ceased to exist. But the state of the case is in every respect the reverse of this. In the first place, the opinion in favour of the present system, which entirely subordinates the weaker sex to the stronger, rests upon theory only, for there never has been trial made of any other, so that experience, in the sense in which it is vulgarly opposed to theory, cannot be pretended to have pronounced any verdict. And in the second place,

the adoption of this system of inequality never was the result of deliberation or forethought, or any social ideas, or any notion whatever of what conduced to the benefit of humanity or the good of society. It arose simply from the fact that from the very earliest twilight of human society, every woman (owing to the value attached to her by men, combined with her inferiority in muscular strength) was in a state of bondage to some man."

Nor is the dependence of women on men, as established at present in this and other civilized countries,—

"an original institution, taking a fresh start from considerations of justice and expediency—it is the primitive state of slavery, lasting on through successive mitigations and modifications occasioned by the same causes which have softened the general manners, and brought all human relations under the control of justice and the influence of humanity. It has not lost the taint of its brutal origin. No presumption in its favour, therefore, can be drawn from the fact of its existence."

On the contrary, the whole analogy of past and contemporary history tends to rebut it, and substitute an opposite presumption in its place. It is not easy for us to understand how completely the law of superior strength constitutes the rule of life in some phases of human evolution. In barbarism, might and right are always regarded as convertible terms, and even Plato's typical sophist, Thrasymachus, defines justice to be "the advantage of the stronger." It was only within comparatively recent times that the immorality of this doctrine was perceived and condemned by any one but philosophers and saints. The transition from compulsory to voluntary social arrangements was very gradually carried out, and then in the most advanced communities alone. But that transition is at present, among ourselves at any rate, almost perfectly accomplished. The difference of sex is now the sole natural distinction which we permit to operate as an absolutely irremovable disqualification for the discharge of certain of the functions of citizenship, and the pursuit of particular occupations. None but women are treated by us as political *pariahs*, and condemned to perpetual tutelage after they are of full age, while they are of sound mind, and before they are convicted of felony.

"Their condition thus stands out an isolated fact in modern social institutions, a solitary breach of what has become their fundamental law, a single relic of an old world of thought and practice, exploded in everything else, but retained in the one thing of most universal interest, as if a gigantic dolman or a vast temple of Jupiter Olympius occupied the site of St. Paul's, and received daily worship, while the surrounding Christian churches were only resorted to on fasts and festivals."

Moreover, experience tells us—

"That every step in improvement has been so invariably accom-

panied by a step made in raising the social position of women, that historians and philosophers have been led to adopt their elevation or debasement as, on the whole, the surest test and most correct measure of the civilization of a people or an age. Through all the progressive period of human history, the condition of women has been approaching nearer to equality with men. This does not of itself prove that the assimilation must go on to complete equality; but it assuredly affords some presumption that such is the case."

The argument that the *nature* of the two sexes adapts them exclusively to the respective parts they now occupy in social economy is manifestly irrelevant, because what is at present "called the nature of woman is an eminently artificial thing—the result of forced repression in some directions, unnatural stimulation in others." In the existing state of society it is impossible to obtain complete knowledge of the really natural differences between the characters of men and women.

"The profoundest knowledge of the laws of the formation of character is indispensable to entitle any one to affirm even that there is any difference, much more what the difference is, between the two sexes, considered as moral and rational beings, and since no one as yet has that knowledge (for there is hardly any subject which, in proportion to its importance, has been so little studied), no one is thus far entitled to any positive opinion on the subject."

As a matter of fact, we know next to nothing of the unsophisticated *nature* of woman, and the knowledge of most men does not go beyond one narrow, "although no doubt important," department of it—the amatory. Of this, however, we may be certain, "that what is contrary to woman's nature to do they never will be made to do by simply giving their nature free play." If they have a greater aptitude for some pursuits than for others, there is no necessity for laws or social inculcation to make them follow the former instead of the latter. What they can do, but not so well as men, they would be excluded from by competition in the ordinary way.

"Nobody asks for protective duties and bounties in favour of women; it is only asked that the present bounties and protective duties in favour of men should be recalled."

We do not hold it requisite to make it illegal for all but strong-armed men to be blacksmiths. We simply leave weak-armed men to discover by experience that they may labour to more advantage elsewhere than at the forge. If women suffered under an insurmountable disability, or if even they were less able than men to be physicians or lawyers, clerks or chemists, carvers and gilders, or to pursue any other profession or calling, they would not be long in ascertaining the fact, and these employments would in practice be as effectually closed against them as they could be by Act of Parliament.

But it seems that marriage is the destination which society specially appoints for women. It is the prospect to which they are all of them brought up to look forward, and the single object which they are all of them taught to attempt to attain. Their training is directed to the same end precisely as the plot of fashionable three-volumed novels, and is intended to terminate "in the curate and St. George's," or some more or less exalted officiator and edifice. If other means of gaining their accustomed livelihood were thrown open to them, it is feared that they might perhaps prefer them to matrimony. And seeing how much the law has done to make the position of a married woman unattractive, it is not surprising that this apprehension should be entertained. In this country, indeed, it is more unenviable than it is, we believe, in any other part of Europe or America, except among the Indian tribes. In ninety-five out of every hundred marriages in England the operation of the Common Law makes the act of marriage on the part of the woman equivalent to high treason as far as the consequence to her rights of property is concerned, and little less than equivalent to it in its effect upon her right of personal liberty. In the other five per cent. of marriages, taking place among the wealthier orders, some mitigation of the severity of the Common Law is effected through the medium of the Court of Chancery. But ordinarily—

"The wife is the actual bond servant of her husband, no less so, as far as legal obligation goes, than slaves commonly so called. She vows a life-long obedience to him at the altar, and is held to it all through life by law. Casuists may say that the obligation of obedience stops short of participation in crime, but it certainly extends to everything else. She can do no act whatever but by his permission—at least, tacit. She can acquire no property but for him the instant it becomes hers; even if by inheritance, it becomes *ipso facto* his. In this respect the wife's position under the Common Law of England is worse than that of slaves in many countries. By the Roman law, for example, a slave might have his *peculium*, which to a certain extent the law guaranteed to him for his exclusive use. The higher classes in this country have given an analogous advantage to their women through special contracts setting aside the law, by conditions of pin-money, &c., since parental feeling, being stronger than the class feelings of their own sex, a father generally prefers his own daughter to a son-in-law, who is a stranger to him. By means of settlements the rich usually contrive to withdraw the whole or part of the inherited property of the wife from the absolute control of the husband, but they do not succeed in keeping it under her own control; the utmost they can do only prevents the husband from squandering it, at the same time debarring the rightful owner from its use. The property itself is out of the reach of both, and as to the income derived from it, the form of settlement most favourable to the wife (that called 'to her separate use') only precludes the husband from receiving it instead of her. It

must pass through her hands ; but if he takes it from her by personal violence as soon as she receives it, he can neither be punished nor compelled to restitution."

This is the wife's *status* with respect to her individual interest, and her *status* in regard to her children is of a piece with it. They are called in law the husband's children, and he alone has legal right over them. The wife can do nothing in relation to them except by delegation from him, and, even after his death, she does not become their guardian unless she has been appointed so by him.

The natural sequence and corollary from the state of things here described would be, that since a woman's whole comfort and happiness in life "depend on her finding a good master, she should be allowed to change, again and again, until she finds one." To those to whom nothing but servitude is permitted—

"the free choice of servitude is the only, though a most insufficient alleviation. Its refusal completes the assimilation of the wife to the slave—and the slave under not the mildest form of slavery, for in some slave codes, the slave could, under certain circumstances of ill usage, legally compel the master to sell him. But no amount of ill usage, without adultery superadded, will in England free a wife from her tormentor."

When it is not superadded she has no means whatever of withdrawing herself from bondage. If she leaves her husband, she can take with her neither her property nor her children ; and, as her services legally belong to him, the earnings of her ability or industry are his, and not hers, whether she lives apart or with him. If he chooses he can compel her, by judicial process, or by physical force, to return to him. It is only in the event of his actually deserting her, or being guilty of gross cruelty towards her, that the courts of justice are empowered to interfere for her protection when separated from her husband.

It is quite true that husbands in general, especially in the upper and middle ranks, seldom push their legal authority to tyrannize over their wives to its extreme limits. But laws are made for the purpose, not of confiding to what people will do, but of guarding against what they may do.

"Marriage is not an institution designed for a select few. Men are not required, as a preliminary to the marriage ceremony, to prove by testimonials that they are fitted to be trusted with the exercise of absolute power :—" and "when we consider how vast is the number of men in any great country who are little higher than brutes, and that this never prevents them from being able, through the law of marriage, to obtain a victim, the breadth and depth of human misery caused in this shape alone, by the abuse of the institution, swells to something appalling."

And even independently of any abuse of it, the institution itself is at present calculated rather to depress than raise the standard of domestic virtue as far, at all events, as the husband is concerned.

"If the family in its best form is, as it is often said to be, a school of sympathy, tenderness, and loving forgetfulness of self, it is still oftener, as respects its chief, a school of wilfulness, overbearingness, unbounded self-indulgence, and a double dyed and idealized selfishness, of which sacrifice itself is only a particular form; the care for the wife and children being only care for them as part of the man's own interests and belongings, and their individual happiness being immolated in every shape to his smallest preferences."

The wife, however, if she cannot resist, can at least retaliate. Hers is the "power of the scold or the shrewish sanction." But to this the amiable, or high-minded will not resort, and thus, when it is resorted to, it is usually against the gentler and more inoffensive variety of husband, so that the wife's capacity for "being disagreeable only establishes a counter-tyranny, and makes victims in their turn chiefly of those husbands who are least inclined to be tyrants."

Nor can it be maintained that the continuance of this order of things is necessary, because in voluntary associations some one member must be master, and it is requisite that the law should decide which of them it should be. In business partnerships, next to marriage, the commonest form of voluntary association among us, this is not the case. The law does not—

"ordain that one partner should administer the common business as his private concern, that the others should have only delegated powers, and that this one should be designated by some general presumption of law, for example, as being the eldest. The law never does this, nor does experience show it to be necessary, that any theoretical inequality of power should exist between the partners, or that the partnership should have any other conditions than what they may themselves appoint by their articles of agreement."

In practice, one member of a firm often does take the lead in its management, and oftener each member of it superintends a distinct department of business. But these arrangements are always the results of the assent of the partners themselves, and not the consequences of legislation. Were it not that settlements and compromises of a similar kind are effected by married couples, even now, in spite of our law of marriage, every household in the realm would be the scene of constant discord and disorder. There is in all decently well-regulated families a distribution of some sort or other of their respective functions, rights, and obligations between husband and wife. But—

"the division neither can nor should be pre-established by law,

since it must depend on individual capacities and suitabilities. If the two persons chose, they might pre-appoint it by the marriage contract, as pecuniary arrangements are now often pre-appointed. There would seldom be any difficulty in deciding such things by mutual consent, unless the marriage was one of those unhappy ones in which all things, as well as this, become subjects of bickering and dispute."

The various circumstances of age and means, of mental or moral qualities, would naturally determine whether the husband or the wife should have the more potential voice in the practical conduct of affairs. They do so at present in nine cases out of ten—

"and this fact shows how little foundation there is for the apprehension that the powers and responsibilities of partners in life, as of partners in business, cannot be satisfactorily apportioned by agreement between themselves."

It may be suggested that an amicable apportionment of them between husband and wife is now common, because the resource of legal compulsion is known to be in reserve—

"as people submit to arbitration because there is a court of law in the background. But to make the cases parallel, we must suppose that the rule of the court of law was, not to try the case, but to give judgment always for the same side, suppose the defendant. If so, the amenability to it would be a motive with the plaintiff to agree to almost any arbitration, but it would be just the reverse with the defendant."

The equality of married persons before the law, with respect to both their personal and their proprietary rights—

"is not only the sole mode in which that particular relation can be made consistent with justice to both sides, and conducive to the happiness of both; but it is the only means of rendering the daily life of mankind in any high sense a school of moral cultivation. Though the truth may not be felt or generally acknowledged for generations to come, the only school of genuine moral sentiment is society between equals."

The effect of obliterating the legal ascendancy of the husband over the wife would be to place wives on the same footing towards the laws and institutions of the country as that now occupied by single women. At present, single women are endowed with all the rights, and subject to all the obligations, appertaining to men, except that, unless as sovereign, they are allowed to take no part either in the legislative or executive privileges and duties of government. They are liable to be punished for their crimes and misdemeanours, and are enabled to procure the punishment of those who have been guilty of crimes or misdemeanours against them. They can acquire, possess, and dispose of property, both real and personal. They

may sue and be sued in the Common Law Courts, file bills, and have bills filed against them in Chancery, and petition the Court of Bankruptcy either as debtors or as creditors. They are empowered to appoint agents, trustees, guardians and executors, and to act as agents, trustees, guardians, executrices and administratrices. On what ground, either of justice or expediency, then, are they debarred from taking a part in the making and administration of the laws in the nature and execution of which they are as fully and variously interested as men?

"In the last two centuries, when (which was seldom the case) any reason beyond the mere existence of the fact was thought to be required to justify the disabilities of women, people seldom assigned as a reason their inferior mental capacity, which in times when there was a real trial of personal faculties (from which all women were not excluded) in the struggles of public life, no one really believed in. The reason given in those days was not woman's unfitness, but the interest of society, by which was meant the interest of men, just as the *raison d'être*, meaning the convenience of government and the support of existing authority was deemed a sufficient explanation and excuse for the most flagitious crimes. In the present day power holds a smoother language, and whosoever it oppresses, always pretends to do so for their own good: accordingly, when anything is forbidden to women, it is thought necessary to say, and desirable to believe, that they are incapable of doing it, and that they depart from their real path of success and happiness when they aspire to it. But to make this reason plausible (not valid), those by whom it is urged must be prepared to carry it a much greater length than any one ventures to do in the face of present experience. It is not sufficient to maintain that women on the average are less gifted than men on the average with certain of the higher mental faculties, or that a smaller number of women are fit for occupations and functions of the highest intellectual character. It is necessary to maintain that no women at all are fit for them, and that the most eminent women are inferior in mental faculties to the most mediocre of the men on whom these functions at present devolve. For if the performance of the function is decided either by competition or by any mode of choice which secures regard to the public interest, there needs to be no apprehension that any important employments will fall into hands of women inferior to average men, or to the average of their male competitors."

This argument applies to state offices as well as to private avocations. There is, however, one of the privileges of citizenship to the enjoyment of which the claim of women is entirely independent of any question that can be raised concerning their faculties. This is the suffrage, both parliamentary and municipal.

"The right to share in the choice of those who are to exercise a public trust is altogether a distinct thing from that of competing for

the trust itself. If no one could vote for a member of parliament who was not fit to be a candidate, the government would be a narrow oligarchy indeed. To have a voice in choosing those by whom one is to be governed, is a means of self-protection due to every one, though he were to remain for ever excluded from the function of governing; and that women are considered fit to have such a choice may be presumed from the fact that the law already gives it to women in the most important of all cases to themselves; for the choice of the man who is to govern a woman to the end of life is always supposed to be voluntarily made by herself. In the case of election to public trusts, it is the business of constitutional law to surround the right of suffrage with all needful securities and limitations; but whatever securities are sufficient in the case of the male sex, no others need be required in the case of women. Under whatever conditions, and within whatever limits men are admitted to the suffrage, there is not a shadow of justification for not admitting women under the same."

If women are entitled to life, liberty, and property, they are equally entitled to be consulted as to the manner in which their lives, liberties, and properties shall be controlled and disposed of; and any control or disposition of them in which they do not participate is simply an usurpation and a wrong. If they are amenable to the laws, and called upon to pay taxes, they are merely slaves so long as they are prevented from authoritatively expressing their views as to what those laws and taxes ought to be. The title of men and women to the suffrage is based on exactly the same considerations, and its denial to the latter is iniquitous for exactly the same reasons that its denial to the former would be.*

In this connexion it is also curious to contemplate that the only things which women are ordinarily excluded from doing are just those things which they have proved themselves best able to

* Mr. Herbert Spencer, speaking of the rights of women, says:—"Three positions only are open to us. It may be said that women have no rights at all: that their rights are not so great as those of men: or that they are equal to those of men.

"Whoever maintains the first of these dogmas, that women have no rights at all, must show that the Creator intended women to be wholly at the mercy of men—their happiness, their liberties, their lives, at men's disposal; or, in other words, that they were meant to be treated as creatures of an inferior order. Few will have the hardihood to assert this.

"From the second proposition, that the rights of women are not so great as those of men, there immediately arise such queries as: If they are not so great, by how much are they less? What is the exact ratio between the legitimate claims of the two sexes? How shall we tell which rights are common to both, and where those of the male exceed those of the female? Who can show us a scale that will serve for the apportionment? Or, putting the question practically, it is required to determine, by some logical method, whether the Turk is justified in plunging an offending Circassian into the Bosphorus? Whether the rights of women were violated by the Athenian law, which allowed a

do. There is no law or custom in force to prevent a woman from writing plays like Shakespeare or operas like Mozart, but there are laws and customs to prevent them from embracing a military or political career, and Joan of Arc and Queen Elizabeth are historical characters.

"If anything conclusive could be inferred from experience, without psychological analysis, it would be that the things which women are not allowed to do are the very ones for which they are peculiarly qualified, since their vocation for government has made its way and become conspicuous through the very few opportunities which have been given, while in the lines of distinction, which apparently were freely open to them, they have by no means so eminently distinguished themselves. We know how small a number of reigning queens history presents in comparison with that of kings. Of this smaller number a far larger proportion have shown talents for rule, and many of them have occupied the throne in difficult periods. It is remarkable, too, that they have, in a great number of instances, been distinguished by merits the most opposite to the imaginary and conventional character of women—they have been as much remarked for the vigour and firmness of their rule as for its intelligence. When to queens and empresses we add regents and viceroys of provinces, the list of women who have been eminent as rulers swells to a great length."

The bad joke that queens are better than kings, because under kings women govern, but under queens men, is hardly worth serious examination. But it may be observed that it is not true, in the first place, that under kings women govern; and, in the second place, it is not true that under queens men govern, except in the same sense in which they govern under kings. With reference to kings, the cases are entirely exceptional; and weak ones have as frequently governed ill through the influence of male as of female favourites.

"When a king is governed by a woman merely through his ama-

citizen, under certain circumstances, to sell his daughter or sister? Whether our own statute, which permits a man to beat his wife in moderation, and to imprison her in any room in his house, is morally defensible? Whether it is equitable that a married woman should be incapable of holding property? Whether a husband may justly take possession of his wife's earnings against her will, as our law allows him to do?—and so forth. These, and a multitude of similar problems, present themselves for solution. Some principle rooted in the nature of things has to be found, by which they may be scientifically decided—decided, not on grounds of expediency, but in some definite philosophical way. Does any one holding the doctrine that women's rights are not so great as men's, think he can find such a principle?

"If not, there remains no alternative but to take up the third position—that the rights of women are equal with those of men."—*Social Statics*, page 156.

If we substitute, for "the intention of the Creator," either "the dictates of a moral sense," or "conceptions of general utility," precisely the same conclusions may be drawn.

tory propensities, good government is not probable, though even then there are exceptions. But French history counts two kings who have voluntarily given the direction of affairs during many years: the one to his mother; the other to his sister. One of them, Charles VIII., was a mere boy; but in doing so he followed the intentions of Louis XI., the ablest monarch of his age. The other, St. Louis, was the best and most vigorous ruler since the time of Charlemagne. Both these princesses ruled in a manner hardly equalled by any prince among their contemporaries. The emperor Charles V., the most politic prince of his time, who had as great a number of able men in his service as a ruler ever had, and was one of the least likely of all sovereigns to sacrifice his interest to personal feelings, made two princesses of his family successively governors of the Netherlands, and kept one or other of them in that post during his whole life. They were afterwards succeeded by a third. Both ruled very successfully; and one of them, Margaret of Austria, was one of the ablest politicians of the age. So much for one side of the question: now as to the other. When it is said that under queens men govern, is the same meaning to be understood as when kings are said to be governed by women? Is it meant that queens choose as their instruments of government the associates of their personal pleasures? The case is rare even with those who are as unscrupulous on the latter point as Catherine II., and it is not in these cases that the good government alleged to arise from male influence is to be found. If it be true, then, that the administration is in the hands of better men under a queen than under an average king, it must be that queens have a superior capacity for choosing them, and women must be better qualified than men, both for the position of sovereign and for that of chief minister; for the principal business of a prime minister is not to govern in person, but to find the fittest persons to conduct every department of public affairs. The more rapid insight into character, which is one of the admitted points of superiority in women over men, must certainly make them, with anything like parity of qualifications in other respects, more apt than men in the choice of instruments, which is nearly the most important business of every one who has to do with governing mankind. Even the unprincipled Catherine de Medici could feel the value of a Chancellor de l'Hôpital. But it is also true that most great queens have been great by their own talents for government, and have been well served precisely for that reason. They retained the supreme direction of affairs in their own hands, and if they listened to good advisers, they gave by that fact the strongest proof that their judgment fitted them for dealing with the great questions of government."

It may be reasonably asked if the female relatives of princes have thus always proved themselves to be at least as fit as princes themselves to discharge the duties of the princely station, what is there in the nature of things to prevent the female relatives of all sorts and conditions of men from discharging the duties appropriate to the several stations of their fathers,

husbands, and brothers? There is really nothing; but there appears to be something, because, while the rank counterpoises the sex of princesses in vulgar apprehension, the latter accident is not compensated by the former in the case of less exalted personages. •

“The ladies of reigning families are the only women who are allowed the same range of interests and freedom of development as men, and it is precisely in their case that there is not found to be any inferiority. Exactly where and in proportion as women’s capacities for government have been tried, in that proportion have they been found adequate.”

All other women have been kept, as far as regards spontaneous development, in so unnatural a state that their nature cannot but have been greatly distorted and disguised. It is not, therefore, safe to—

“pronounce that if women’s nature were left to choose its direction as freely as men’s, and if no artificial bent were attempted to be given to it, except that required by the conditions of society, and given to both sexes alike, there would be any material difference at all in the character and capacities which unfold themselves.”

As it is, however, women seem to be inferior to men in their powers of generalization, but superior to them in their powers of observation. Their perceptive preponderate over their speculative faculties. The general bent of their talents is towards the practical.

“What is meant by a woman’s capacity of intuitive perception? It means a rapid and correct insight into present fact. It has nothing to do with general principles. Nobody ever perceived a scientific law of nature by intuition, nor arrived at a general rule of duty or prudence by it. These are results of slow and careful collection and comparison of experience, and neither the men nor the women of ‘intuition’ usually shine in this department.”

It is not, however, an uncommon thing for “too much learning” to render men insensible to present fact. “They do not see in the facts they are called upon to deal with what is really there, but what they have been taught to expect.” This rarely happens with women of any ability. “Their capacity for ‘intuition’ preserves them from it. With equality of experience and of general faculties, a woman usually sees much more than a man of what is immediately before her.” The vivid appreciation of the actual is the main distinction between practical and theoretical minds, and its absence is “the most characteristic aberration” of the latter. Thus women’s thoughts “are as useful in giving reality to those of thinking men, as men’s thoughts in giving width and largeness to those of women. In depth, as

distinguished from breadth, it may be greatly doubted if even now women, compared with men, are at any disadvantage."

Again, women may be said to have more excitability of nerve than men, and more of those qualities which excitability of nerve produces. "They are the material of great orators, great preachers, impressive diffusers of moral influences." But they are not, on this account, disqualified for the discharge of the calmer and more dispassionate social functions. In the matter of nervous temperament there is as much difference between races of men as there is between men and women.

"Like the French compared with the English, the Irish with the Swiss, the Greeks or Italians compared with the Germans, so women, compared with men, may be found on an average to do the same things with some variety in the particular excellence. But that they would do them fully as well on the whole, if their education and cultivation were adapted to correcting instead of aggravating the infirmities incident to their temperament, there is not the smallest reason to doubt."

The only evidence afforded by observation of the supposed mental inferiority of women to men, is the circumstance that no production entitled to the highest rank in philosophy, science, or art, has been the work of a woman. It is hardly three generations since, with very rare exceptions, women commenced to try their powers in any of those directions, and in the present generation alone have their attempts been at all numerous. It may therefore be questioned—

"whether a mind possessing the requisites of first-rate eminence in speculation or creative art, could have been expected on the mere calculation of chances to turn up, during that lapse of time, among the women whose tastes and personal position admitted their devoting themselves to these pursuits. In all things in which there has yet been time for—in all but the very highest grades in the scale of excellence, especially in the department in which they have been longest engaged, literature (both prose and poetry)—women have done quite as much, and have obtained fully as high prizes, and as many of them, as could be expected from the length of time and the number of competitors."*

* "Whoso urges the mental inferiority of women in bar to their claim to equal rights with men, may be met in various ways. In the first place, the alleged fact may be disputed. A defender of her sex might name many whose achievements in government, in science, in literature, and in art have obtained no small share of renown. Powerful and sagacious queens the world has seen in plenty, from Zenobia down to the Empresses Catherine and Maria Theresa. In the exact sciences, Mrs. Somerville, Miss Herschel, and Miss Zornlin have gained applause; in political economy, Miss Martineau; in general philosophy, Madame de Stael; in politics, Madame Roland. Poetry has its Tighes, its Hemanses, its Landons, its Browning; the drama, its Joanna Baillie; and fiction, its Austens, Bremers, Gores, Dudevants, &c., without end. In sculpture,

If we contrast the literary and artistic works of women with those of men in modern days, we shall find that their inferiority resolves itself into one, but still a most material, defect, namely, "a deficiency of originality." They do not, indeed, exhibit a total want of it, for no production of mind of substantive value can do so; but they have not up to the present been marked "by any of those great and luminous new ideas which form an era in thought, nor those fundamentally new conceptions in art which open a vista of possible effects not before thought of, and found a new school." Their compositions are mostly based on the existing fund of thought, and their creations do not deviate widely from existing types; but in point of execution, in the treatment of details, and in perfection of style, their works are quite on a par with those of their male rivals. The fact is, however, that—

"nearly all the thoughts which can be reached by mere strength of original faculties have long since been arrived at, and originality, in any high sense of the word, is now scarcely ever attained but by minds which have undergone elaborate discipline, and are deeply versed in the results of previous thinking."

There are very few women who have gone through this training, and every sort of obstacle is placed in the way of their obtaining it. They are deprived of all the advantages, and most of the motives, which men possess for acquiring even a decent amount of systematic education; and if we turn from philosophy and science to literature, in the narrow sense of the term, there are other obvious reasons why women's productions are in general conception, and in their leading features, more or less imitations of those of men.

"Why is the Roman literature, as critics proclaim to satiety, not original, but an imitation of the Greek? Simply because the Greek came first. If women lived in a different country from men, and had never read any of their writings, they would have had a literature of

fame has been acquired by a princess; a picture like 'The Momentous Question' is tolerable proof of female capacity for painting; and on the stage it is certain that women are on a level with men, if they do not even bear away the palm. Joining to such facts the important consideration, that women have always been, and are still, placed at a disadvantage in every department of learning, thought, or skill—seeing that they are not admissible to the academies and universities in which men get their training; that the kind of life they have to look forward to does not present so great a range of ambitions; that they are rarely exposed to that most powerful of all stimulants—necessity; that the education custom dictates for them is one that leaves uncultivated many of the higher faculties; and that the prejudice against blue-stockings, hitherto so prevalent amongst men, has greatly tended to deter women from the pursuit of literary honours:—adding these considerations to the above facts, we shall see good reason for thinking that the alleged inferiority of the feminine mind is by no means self-evident."—SPENCER: *Social Statics*, p. 157.

their own. As it is, they have not created one, because they found a highly advanced literature already created. If there had been no suspension of the knowledge of antiquity, or if the Renaissance had occurred before the Gothic cathedrals were built, they never would have been built. We see that in France and Italy imitation of the ancient literature stopped the original development, even after it had commenced. All women who write are the pupils of the great male writers. A painter's early pictures, even if he be a Raffaele, are undistinguishable in style from those of his master. Even a Mozart does not display his powerful originality in his earliest pieces. What years are to a gifted individual, generations are to a mass. If women's literature is destined to have a different collective character from that of men, depending on any difference of natural tendencies, much longer time is necessary than has yet elapsed before it can emancipate itself from the influence of accepted models, and guide itself by its own impulses. But if there should not prove to be any natural tendencies common to women, and distinguishing their genius from that of men, yet every individual writer among them has her individual tendencies, which at present are still subdued by the influence of precedent and example, and it will require generations more before their individuality is sufficiently developed to make head against that influence."

With respect to the fine arts, properly so called, the inferior originality of female genius appears to be most strongly marked. Although women are encouraged to cultivate them, and the chief portion of their education consists in their cultivation, they have fallen short of men more considerably in them than in almost any other line of exertion.

"This shortcoming, however, needs no other explanation than the familiar fact, more universally true in the fine arts than in anything else, the vast superiority of professional persons over amateurs. Women in the educated classes are almost universally taught more or less of some branch or other of the fine arts, but not that they may gain their living or their social consequence by it. Women artists are all amateurs. The exceptions are only of the kind which confirm the general truth. Women are taught music, but not for the purpose of composing, only of executing it; and accordingly it is only as composers that men in music are superior to women. The only one of the fine arts which women do follow to any extent as a profession and an occupation for life is the histrionic, and in that they are confessedly equal, if not superior to men. To make the comparison fair, it should be made between the productions of women in any branch of art and those of men not following it as a profession."

In some degree music is less than the other fine arts dependent on general mental power, and more dependent on a special gift. But this gift, to be made available, requires study and professional devotion to the pursuit. It is only in Germany and Italy that great musical composers have as yet appeared, and in

those countries the education of women has remained far behind what it is even now in France and England. In Germany and Italy men who are acquainted with the principles of musical composition may be counted by thousands, and women barely by scores, "so that here again, on the doctrine of averages, we cannot reasonably expect to see more than one eminent woman to fifty eminent men, and the last three centuries have not produced fifty eminent male composers in either."

Besides all this, the time and thoughts of women have to satisfy considerable demands on them before they can be applied to higher purposes. They have always domestic duties to occupy them, except where the families to which they belong are sufficiently rich to delegate their superintendence to servants. Moreover, the desire for distinction which impels so many men, without, or over and above, the pressure of necessity, to "scorn delights and live laborious days," is suppressed, or at any rate discouraged, in women. Ambition, "the last infirmity of noble minds," is regarded as "daring and unfeminine."

If we pass from the intellectual to the moral differences between the two sexes, we find the distinction is commonly drawn in favour of women.

"They are declared to be better than men—an empty compliment which must provoke a bitter smile from every woman of spirit, since there is no other situation in life in which it is the established order, and considered quite natural and suitable, that the better should obey the worse. If this piece of idle talk is good for anything, it is only as an admission by men of the corrupting influence of power, for that is certainly the only truth which the fact—if it be a fact—either proves or illustrates."

As some compensation to this dictum, it is also usually asserted that women suffer from a greater liability to moral bias than men. "Their judgment in grave affairs is warped by their sympathies and antipathies;" but,

"assuming that it is so, it is still to be proved that women are oftener misled by their personal feelings than men by their personal interests. The chief difference would seem in that case to be that men are led from the course of duty and the public interest by their regard for themselves, women (not being allowed to have private interests of their own) by their regard for somebody else."

We frequently hear, for instance, that women care for nothing in politics but personalities, and form their opinions of measures from the men identified with them, and not of the men from the measures they propose or support. This is only what is to be anticipated from the way in which they are brought up. They have been and are invariably instructed to limit their horizon to their family circle at most, and by no means to extend it so as to

embrace their country, much less mankind; and it is not surprising if they have learnt a lesson faithfully which has been so long and so assiduously taught to them.

It may be inquired, What good are we to expect from the changes proposed in our customs and institutions? Would mankind be at all better off if women were free? If not, why disturb their minds and attempt to make a social revolution in the name of an abstract right? In respect to the alterations which it is urged ought to be made in the condition of married women, it is hardly requisite to reply to these queries. "The sufferings, immoralities, evils of all sorts, produced in innumerable cases by the subjection of individual women to individual men are far too terrible to be overlooked." The abuse of power cannot be very much checked while the power remains, and the marital power is one accorded not only to good or decently respectable men, but to all men who marry—the most brutal and the most criminal among them. "Marriage is the only actual bondage known to the law. There remain no legal slaves except the mistress of every house." In regard, however, to the larger question,—

"the removal of women's disabilities—their recognition as the equals of men in all that belongs to citizenship; the opening to them of all honourable employments, and of the training and education which qualifies for those employments—there are many persons to whom it is not enough that the inequality has no just or legitimate defence; they require to be told what express advantage would be obtained by abolishing it."

To this it is to be answered, first, "the advantage of having the most universal and pervading of all human relations regulated by justice instead of injustice;" and secondly, the advantage secured by "giving to women the free use of their faculties, by leaving them the free choice of their employments, and opening to them the same field of occupation and the same prizes and encouragements as to other human beings," of "doubling the mass of mental faculties available for the higher service of humanity." The vast amount of gain to human nature which would arise from the former advantage it is scarcely possible to place in a stronger light than it is placed by merely stating it

"to any one who attaches a moral meaning to words. All the selfish propensities, the self-worship, the unjust self-preference which exist among mankind have their source and root in, and derive their principal nourishment from, the present constitution of the relation between men and women."

- The fact that "where there is now one person qualified to benefit mankind and promote the general improvement, as a public teacher or an administrator of some branch of public or social affairs, there would then be a chance of two," is sufficient

of itself to make the importance of the latter advantage manifest to all impartial persons.

“Mental superiority of any kind is at present everywhere so much below the demand, there is such a deficiency of persons competent to do excellently anything which it requires any considerable amount of ability to do, that the loss to the world by refusing to make use of one-half of the whole quantity of talent it possesses is extremely serious. It is true that this amount of mental power is not totally lost. Much of it is employed, and would in any case be employed, in domestic management and in the few other occupations open to women, and from the remainder individual benefit is in many individual cases obtained through the personal influence of individual women over individual men. But these benefits are partial: their range is extremely circumscribed.”

And against them should be weighed the stimulus that would be given to the intelligence of men by the access of competition by women, “or, to use a more true expression, by the necessity that would be imposed on them of deserving precedence before they could expect to obtain it.”

Added to these considerations are the effects to be anticipated from the proposed changes on the character and happiness of women themselves.

“The mere consciousness a woman would then have of being a human being like any other entitled to choose her pursuits, urged or invited by the same inducements as any one else to interest herself in whatever is interesting to human beings, entitled to exert the share of influence on all human concerns which belongs to individual opinion, whether she attempted actual participation in them or not; this alone would effect an immense expansion of the faculties of women as well as enlargement of the range of their moral sentiments.”

They would become proportionately more fitted to develop what is commendable in their male associates, and to aid them in their nobler aspirations, instead of endeavouring, as they now too frequently do, to stifle everything in them which does not conduce to their immediate advancement, or that of their belongings, or which runs counter to, or out of, the current of conventional opinion. “Whoever has a wife and children has given hostages to Mrs. Grundy;” and seeing how many have done so, it is no “wonder that people in general are kept down in that mediocrity of respectability which is becoming a marked characteristic of modern times.”

At present the influence of women is probably not less real than it was in classical antiquity, or in the age of chivalry; but it is no longer of so obvious and definite a character.

“Both through the contagion of sympathy, and through the desire

of men to shine in the eyes of women," their feelings have great effect in keeping alive what remains of the chivalrous ideal—in fostering the sentiments and continuing the traditions of spirit and generosity. In these points of character their standard is higher than that of men, in the quality of justice somewhat lower. As regards the relations of private life, it may be said generally that their influence is on the whole encouraging to the softer virtues, discouraging to the sterner, though the statement must be taken with all the modifications dependent on individual character. In the chief of the greater trials to which virtue is subject in the concerns of life—the conflict between interest and principle—the tendency of women's influence is of a very mixed character. When the principle involved happens to be one of the very few which the course of their religious or moral education has strongly impressed upon themselves, they are potent auxiliaries to virtue, and their husbands and sons are often prompted by them to acts of abnegation which they never would have been capable of without that stimulus. But with the present education and position of women, the moral principles which have been impressed on them cover but a comparatively small part of the field of virtue, and are, moreover, principally negative, forbidding particular acts, but having little to do with the general direction of the thoughts and purposes. It is to be feared that disinterestedness in the general conduct of life—the devotion of the energies to purposes which hold out no promise of private advantages to the family—is very seldom encouraged or supported by women's influence. It is small blame to them that they discourage objects of which they have not learnt to see the advantage, and which withdraw their men from them, and from the interests of the family. But the consequence is that women's influence is often anything but favourable to public virtue."

There is nothing, except disease, indigence, and guilt, so fatal to the pleasurable enjoyment of life as the deprivation of a worthy outlet for the active faculties.

"Women who have the cares of a family, and while they have the cares of a family, have this outlet, and it generally suffices for them; but what of the greatly increasing number of women who have had no opportunity of increasing the vocation which they are mocked by telling them is their proper one? What of the women whose children have been lost to them by death or distance, or have grown up and married and formed homes of their own?" •

They are, as a rule, driven to take refuge in philanthropy; the two provinces of it they chiefly cultivate being religious proselytism and charity.

"Religious proselytism at home is but another word for embittering of religious animosities: abroad it is usually a blind running at an object without either knowledge or heeding the fatal mischiefs—fatal to the religious object itself, as well as to all other desirable objects—which may be produced by the means employed. As for charity, it is a matter in which the immediate effect on the persons concerned, and the ultimate consequence to the general good, are apt

to be at complete war with one another ; while the education given to women—an education of the sentiments rather than of the understanding—and the habit inculcated by their whole life of looking to immediate effects on persons—make them both unable to see, and unwilling to admit the ultimate evil tendency of any form of charity which commends itself to their sympathetic feelings.”

In marriage, again, the broad line of distinction there now is between the education and resulting characters of women and those of men, much more often than not, proves destructive to

“ that union of thoughts and inclinations which is the ideal of married life. Intimate society between people radically dissimilar to one another is an idle dream. Unlikeness may attract, but it is likeness which retains, and in proportion to the likeness is the suitability of the individuals to give each other a happy life. While women are so unlike men, it is not wonderful that selfish men should feel the need of arbitrary power in their own hands to arrest *in limine* the lifelong conflict of inclinations by deciding every question on the side of their own preference. When people are extremely unlike, there can be no real identity of interest. Very often there is a conscientious difference of opinion between married people on the highest points of duty. Is there any reality in the marriage when this takes place ? ”

It is, of course, not to be supposed that differences in taste and inclination exist between husbands and wives only because women and men are brought up differently. They would probably exist to a greater or less degree under every imaginary concatenation of circumstances. But it is not going beyond the mark to say that the difference in their bringing up aggravates those differences and renders them wholly inevitable.

“ While women are brought up as they are, a man and woman will but rarely find in one another real agreement of tastes and wishes as to daily life. They will generally have to give up as hopeless and renounce the attempt to have in the intimate associate of their daily life that *idem velle, idem nolle*, which is the recognised bond of any society that is really such ; or, if the man succeeds in obtaining it, he does so by choosing a woman who is so complete a nullity that she has no *velle* or *nolle* at all, and is as ready to comply with one thing as another if anybody tells her to do so. Even this calculation is apt to fail ; dulness and want of spirit are not always a guarantee of the submission which is so confidently expected from them. But if they were, is this the ideal of marriage ? What in this case does the man obtain by it, except an upper servant, a nurse, or a mistress ? On the contrary, when each of two persons, instead of being a nothing is a something, when they are attached to one another, and are not too much unlike to begin with, the constant partaking in the same things, assisted by their sympathy, draws out the latent capacities of each for being interested in the things which were at first interesting only to the other, and works a gradual assimilation of the tastes and characters to one another, partly by the insensible modification of each, but more

by a real enriching of the two natures, each acquiring the tastes and capacities of the other in addition to its own."

The following passage will appear, to those who have read a certain monumental inscription at Avignon, and still more to those who may have had the privilege of being personally acquainted with the gifts and virtues it records, to be characterized by peculiar pathos, the full depth and meaning of which it is impossible for others perhaps even partially to understand.

"What marriage may be in the case of two persons of cultivated faculties, identical in opinions and purposes, between whom there exists that best kind of equality, similarity of powers and capacities with reciprocal superiority in them—so that each can enjoy the luxury of looking up to the other, and can have alternately the pleasure of leading and of being led in the path of development—I will not attempt to describe. To those who can conceive it there is no need; to those who cannot it would appear the dream of an enthusiast. But I maintain, with the profoundest conviction, that this, and this only, is the ideal of marriage; and that all opinions, customs, and institutions which favour any other notion of it, or turn the conceptions and aspirations connected with it into any other direction, by whatever pretences it may be coloured, are relics of primitive barbarism. The moral regeneration of mankind will only really commence when the most fundamental of the social relations is placed under the rule of equal justice, and when human beings learn to cultivate their strongest sympathy with an equal in rights and in cultivation."

We have now presented our readers with an outline of Mr. Mill's argument, preferring on all occasions to give its leading points in his own powerful language rather than diluted in any paraphrase we could make of them. It is unnecessary for us to comment upon, or criticise, his reasoning. To our minds it appears completely conclusive and utterly unanswerable. But we notice with regret that one branch of the subject of which Mr. Mill treats, has been considered by him to be foreign to the immediate purpose of his present work, and has been omitted by him from examination. We refer to the question of Divorce—the appropriate means of terminating the engagements implied by marriage, and of enabling the parties to enter into similar engagements with other persons. It was the opinion of the illustrious William von Humboldt, that interference on the part of the State with the arrangements, whether in respect to their nature or continuance, which citizens of the opposite sexes may think proper to make with one another for their mutual association, is politically illegitimate and morally censurable. He says:

"The manifest inference we would derive from these considerations on the institution of matrimony is this:—That the effects which it

produces are as various as the characters of the persons concerned ; and that, as a union so closely allied with the very nature of the respective individuals, it must be attended with the most hurtful consequences when the State attempts to regulate it by law, or through the force of its institutions to make it repose on anything save simple inclination. When we remember, moreover, that the State can only contemplate the final results in such regulations—as, for instance, population, early training, &c.—we shall be still more ready to admit the justice of this conclusion. It may reasonably be argued that a solicitude for such objects conducts to the same results as the highest solicitude for the most beautiful development of the inner man. For, after careful observation, it has been found that the uninterrupted union of one man with one woman is most conducive to population ; and it is likewise undeniable that no other union springs from true, natural, harmonious love. And further, it may be observed that such love leads to no other or different results than those very relations which law and custom tend to establish, such as the procreation of children, family training, community of living, participation in the common goods, the management of external affairs by the husband, and the care of domestic arrangements by the wife. But the radical error of such a policy appears to be, that the law *commands*, whereas such a relation cannot mould itself according to external arrangements, but depends wholly on inclination : and wherever coercion or guidance comes into collision with inclination, they divert it still further from the proper path. Wherefore it appears to me that the State should not only loosen the bonds in this instance, and leave ampler freedom to the citizen, but, if I may apply the principles above stated (now that I am not speaking of matrimony in general, but of one of the many injurious consequences arising from restrictive State institutions, which are in this one specially noticeable), that it should entirely withdraw its active solicitude from the institution of matrimony, and both generally, and in its particular modifications, should rather leave it wholly to the free choice of the individuals, and the various contracts they may enter into with respect to it. I should not be deterred from the adoption of this principle by the fear that all family relations might be disturbed, or their manifestation in general impeded : for although such an apprehension might be justified by considerations of particular circumstances and localities, it could not be fairly entertained in an inquiry into the nature of men and States in general. For experience frequently convinces us that just where law has imposed no fetters, morality most surely binds : the idea of external coercion is one entirely foreign to an institution which, like matrimony, reposes only on inclination and inward sense of duty : and the results of such coercive institutions do not at all correspond to the designs in which they originate.”—*The Sphere and Duties of Government*: translated by Joseph Coulthard, jun., pp. 33—5.

As society is at present constituted, however, the full measure of personal liberty with respect to our sexual relations here con-

tended for, unspeakably desirable as we hold its attainment to be, cannot perhaps be practically accorded, with due regard to the interests of individuals or of the community at large. But towards the attainment of it there is a growing movement, particularly in the United States, and, to some extent, in this country and on the continent. Among persons distinguished rather for the strength than the weakness of their moral convictions there is, on both sides of the Atlantic, an increasing desire to emancipate their unions from conventional trammels, and to avoid in their initiation the interchange of pledges which it may be impossible in spirit, and, in that event, which would be immoral, for them to observe. For we do not hesitate to affirm that the prolonged cohabitation of a man and a woman, after it has ceased to be sanctified by mutual affection, is as essentially immoral when it arises from so-called religious feeling, as the pious prostitution of the ancient Babylonians in their temples, and when from considerations of worldly convenience or advantage, as essentially immoral as the mercenary prostitution of the streets of modern London and Paris.

Nevertheless, marriage in the existing order of things, and as they are likely to exist for a long time to come, entails civil and legal consequences so important, and frequently so intricate, that to us it seems the Legislature of any country in which this is the case, is not only justified but bound to direct the observance of certain public and ascertained formalities by those subject to it who intend to participate in, or to retire from participation, in the rights and obligations marriage confers and attaches. The effects of marriage do not terminate with the man and woman between whom it subsists. By it they assume a special relation towards the rest of the community of which they are members, and when they procreate children, other interests are with them brought into being, of which it is the duty of society to take charge. But the primary objects of marriage are the happiness and comfort of the parties to it, and it is susceptible of every variety of form which their consent can establish, if it be not contrary to these objects. The stipulations which the parties might see good to make with each other should be, like those of any other contract, capable of being legally enforced. Their terms, however, whether as to the incidents or the duration of the connexion, should be left to the choice and discretion of the parties themselves. We have not space at our command to do justice to these matters now, and we have referred to them simply because when we opened "*The Subjection of Women*," we hoped that in it we should have found an expression of opinion on them from the acknowledged leader of British thought—an expression of opinion which we are convinced

would have done more than anything else to dispel prejudice and diffuse sound views with regard to them. But as it is, Mr. Mill's book is emphatically a great work:—the writing of it is not the least among his many claims to our admiration and respect, nor will it, we venture to prophesy, prove among the earliest forgotten of his numerous titles to the esteem and gratitude of posterity.



ART. IV.—THE IRISH LAND QUESTION.

1. *Irish Emigration, and the Tenure of Land in Ireland.* By LORD DUFFERIN. London: 1867.
2. *Prussia and Ireland.* By HENRY DIX HUTTON. Dublin: 1867.
3. *Proposals for the gradual Creation of a Farmer-Proprietary in Ireland.* By HENRY DIX HUTTON. London: 1868.
4. *England and Ireland.* By JOHN STUART MILL. London: 1868.
5. *The Irish Land Question.* By JAMES CAIRD. London: 1869.
6. *The Irish Land.* By GEORGE CAMPBELL. London: 1869.
7. *Principles which should regulate the Ownership and Occupation of Land.* By FREDERICK HILL. London: 1869.
8. *The Land Question in Ireland.* By BINDON B. STONEY, A.B. Dublin: 1869.
9. *Tenant Right versus Landlord Wrong.* By AN IRISHMAN. London and Dublin.
10. *Letters of the Times' Special Commissioner.* August to December, 1869.

IRELAND is not yet quiet. Fenianism is alive; the Ribbon lodges are active; agrarian murders have not ceased; in Meath a state of things exists which the magistrates of that county describe as a reign of terror. Throughout the country there is dissatisfaction and unrest. The measures lately taken by the Irish Executive Government are such as only alarming symptoms can justify. We read of fresh additions being made to the already large military force which occupies the island. Flying squadrons are prepared to traverse the country and check the first outbreaks of violence. The so-called national Press has

been warned ; there is even a whisper that it may be necessary to ask for the suspension of the Habeas Corpus Act.

Such is the nature of the Irish difficulty which Parliament will shortly be called upon to face. Its gravity and importance can scarcely be overstated. For on its solution depends, not only the immediate well-being of a third part of the United Kingdom, but the honour and safety of the empire itself. No country, however powerful and compact, can bear with impunity the chronic disaffection of an important constituent member. Least of all, can a country like England endure with safety the disorganization of a member like Ireland. Whatever faith Englishmen may have in themselves and their resources, and however just may be the confidence founded on past history of their ability to ride safely over a sea of troubles, no one can fail to recognise that their empire presents many vulnerable points, and that, if seriously attacked by a powerful and determined enemy, the utmost united efforts of the people of these islands would be required for its defence. Should any such contest chance to arise at the present moment, Ireland would count as a minus quantity. Not only would it be impossible to rely on its assistance, but we should have to provide against its hostility. And although such a danger seems remote, it would be sheer folly to neglect it.

This consideration, we are well aware, is powerless as a popular argument in favour of a pacific settlement. Possibly its weight would be thrown in the opposite scale. The nation at large is so little likely to be frightened into action by fear of the consequences of the hostility of Ireland that it will not improbably be very much tempted to refrain from doing its duty lest any one should suppose it to be afraid. But in anything like a general view it is impossible to overlook the element of weakness, and even of danger in the Irish difficulty. Parliament, at all events, is bound not to overlook it ; and though it would be unworthy to concede to fear what we are unwilling to yield to justice, it would be absurd to put out of sight the possible consequences of imperfect legislation in their bearing on the safety of our scattered dominions.

The real strength, however, of Ireland's appeal is directed to our conscience rather than to our fears. It is as a question of national duty that the statesmen and people of England are bound to look at this matter, and to speak the truth, it is in this light that they are beginning to regard it. And not a moment too soon. No impartial observer reviewing the past and present of Ireland can hesitate where to place the weight of responsibility for her condition at this moment. We have had our way in Ireland for more than 300 years ; we have tried a vigorous

policy ; we have tried a policy of inaction ; we have tried, as a last resource, measures of conciliation ; and with this result, that to say nothing of open lawlessness and violence, the temper of the country is such that while we write it is being debated whether the Habeas Corpus Act must not be again suspended. This condition of things is a disgrace. It is a disgrace to any nation to see within its own jurisdiction, and within view of its own shores, such a spectacle as Ireland presents—to a nation which boasts to have taught the world the lesson of constitutional government it is a bitter humiliation as well. For eight centuries or so we have been slowly evolving the best of all possible governments out of the raw material of Anglo-Saxon anarchy, and, as many of us think, with remarkable and distinguished success. We have passed in orderly and undisturbed gradation through the various stages of national infancy and growth, and are now in possession of the full powers of maturity, enjoying a form of constitution which, as we love to assure ourselves, combines the wisdom of an aristocracy with the stability of a republic. And yet so little have we commended ourselves and our institutions, to our nearest neighbours, that a light-hearted and kindly people, our natural allies, with whom we have been intimately associated for the greater part of our national life, and who have passed in countless ways under our immediate influence, are just now considering how they can best express their hatred and contempt for our government and our laws.

These considerations, while they increase the difficulty of Parliament in dealing with the Irish question, impose also a clear obligation on the people of England in discussing it. The responsibilities of the situation must be freely accepted by those who are liable for the existing order of things. If it be true that our past legislation has made Ireland what she is, we must not be offended at hearing ourselves denounced by the sufferers in such language as we deserve. Nor must we be extreme to mark bitterness or injustice in the criticism of our motives on the part of Irishmen, remembering with what good reason they may doubt the possibility of an unselfish Irish policy. Above all, we must not be moved from the line of duty, either by isolated acts of brutality, or by the evidence of ineradicable hatred on the part of a large section of the Irish people. These are the symptoms of the disease—they are phenomena to be carefully and dispassionately studied with a view to cure ; but it would be as absurd to be influenced by them in our mode of treatment, as for a physician to fly into a passion with a delirious patient.

Prior to any legislation there is a question to be answered : Is legislation necessary ? Such a large proportion of the evils which nations have to bear are caused by law-making and by in-

interference on the part of Government with the ordinary course of events, that this inquiry is in no case superfluous, and in the case before us there are special reasons for undertaking it. The Irish Church Act of last year has not as yet had time to produce its effect. It is possible, though on the face of it not probable, that the cry for fresh measures is the mere expression of excitement and unrest, and not a demand founded on a want. Indeed, we are assured that this is so—that there is no occasion to do anything—no problem to be solved, no special difficulty to be met. This language we hear, not only from politicians like Lord St. Leonards (if Lord St. Leonards can be called a politician), from habitually cautious statesmen like the present Lord Derby, and from those whose business it is to discredit beforehand the measures of the present Government, but even from professed supporters of that Government. The *Pall Mall Gazette*, a paper assuredly not wanting in knowledge and discrimination, can see no necessity for action at all. It thinks the moment singularly inopportune for legislative meddling. Ireland is, on the whole, exceedingly prosperous; there is little or nothing in the condition of that country calling for immediate change; any asperities which exist should be left to the influence of time and to the quieting operation of the Irish Church Act. Such is, in substance, the language of well informed persons with no particular political bias, echoed by certain “safe” statesmen, and repeated by the Conservative press.

It would be extremely rash to put aside assertions so made, merely because the voice of those who ask for something to be done prevails against those who say “do nothing,” and because Government has undertaken to introduce a Bill. Those who are not partisans, and not bound by their pledges, are required to look into the truth of these allegations. It is a case for examination and inquiry, and fortunately materials are not wanting on which such examination can be founded. Before entering on this part of the subject, it may be well to recall some of the chief physical and ethnological characters of Ireland, partly because these peculiarities do, in fact, assist one to understand the Irish question, and still more on account of the exaggerated importance often attributed to them.

Ireland, by virtue of its geographical position, has a somewhat higher mean temperature and greater rainfall than the rest of the British islands. Its coast is fringed with cliffs, especially on the northern and western sides; uplands, mounting into hills, rise toward the centre and the north, the general inclination of the land being south and south-west. Its western district, from Cape Clear to Killala Bay, a line which would include the greater part of Kerry and Clare and the coast-line of Galway and Mayo, is

rugged, worn into deep bays by the action of the Atlantic, devoid of plains, and, except at the estuary of the Shannon, intersected by no considerable river. The race inhabiting this district is the Irish-Celtic. Small communities are, however, to be found, mostly in fishing villages, entirely of Teutonic, and generally Scandinavian origin. The central and southern division, from Longford and Meath towards the north, to Cork, Waterford, and Wexford, is drained by the Shannon, Barrow, and Suir, with their tributaries. Though presenting considerable diversities of outline, and possessing some important groups of mountains, it is in its general features a country of rich plain and valley, with a soil and climate excellently fitted for agriculture. The Irish Celtic blood predominates here, varied in the southern counties by an intermixture from Belgic immigrants, and by an Anglo-Saxon population on the west. The northern district, which for our purpose may be considered as conterminous with the province of Ulster, is a country of hill and lough, spreading out occasionally into broad plains, containing many fine agricultural districts, and well watered by rivers. It combines the characters of the western and central districts, those of the former predominating. The original Celtic population has here been overborne by Scotch and English colonists, to say nothing of the Danish invaders, who at a very early date settled along the line of the coast. The eastern sea-board, occupied by several of the most important towns of the island, is mainly an upland country, yet containing large expanses of plain in the centre; the chief seats of manufacture and commerce are here to be found, together with purely agricultural industry. The Danish and Anglo-Norman races prevail along the whole of this line. As might be expected, the purest Erse-Celtic population is found on the side of the island furthest removed from the centres of immigration—that is to say, in the province of Connaught and in the county of Kerry. Cork, Waterford, Tipperary, King's County, Queen's County, Westmeath, and Longford, contain a mixed Celtic and Teutonic race, the former element prevailing. In Ulster these conditions are reversed; while along the eastern and southern coasts, in Meath, in Dublin, in Wicklow, in Wexford, and in Waterford, the population is still more composite, and the old Erse element more variable and fluctuating. Without an exception the large and thriving towns are situated on or near the coast.

The industry of this country is essentially and almost exclusively agricultural. An Irishman (as Mr. Campbell well says) gravitates to the land. Of its five millions and a half inhabitants, not much less than one-fourth are employed as farmers, graziers, and labourers in the cultivation of the soil and operations con-

nected therewith ; of its twenty million acres, considerably more than three-fourths are under crops, fallow, and grass. In England and Wales, although the proportion of land devoted to agricultural uses is fully as great, and probably rather greater, than in Ireland, scarcely more than one-twentieth of the population live by farming.* Ireland has not the resource of a large manufacturing industry to draw off and provide with labour any surplus portion of the cultivators of the soil. While the men in England who are engaged as manual labourers in our mines, factories, and works of a similar nature, number some five millions, the corresponding class in Ireland is less than 700,000. The Irish labourer, it is evident, must stand or fall by the land, for he has only the land to look to. The Irish farmer is *adscriptus glebæ*, for the conditions of tenure are such that his whole property is invested in a security which it is always difficult, and often impossible, for him to realize, except by holding to his farm. Under these circumstances, in the presence of an Irish difficulty, the attention of any independent inquirer would be first directed to the condition of the agricultural classes. Without prejudging anything, or assuming anything, one would naturally look in this direction to see if suspicious symptoms could be accounted for. It is the part to be first examined in the diagnosis of the disease.

Now, what is the condition of agricultural industry in Ireland ? Is it healthy or diseased ? sound or unsound ? The real state of the case in this particular may be arrived at, if not exactly, yet with a tolerable approach to exactness. During the last ten or fifteen years, the condition of Ireland has been brought pretty prominently forward. Last year, and the year before last, it was repeatedly discussed in Parliament by rival parties, one of which desired to make the picture appear as dark and the other as bright as possible. Since then literary men, pamphleteers, and newspaper correspondents have been at work, and have presented us with a great mass of observed facts and comment more or less original. We shall divide our analysis of these materials into the following heads:—1. Agricultural wages. 2. Rents. 3. Material prosperity of the agricultural classes. 4. General feeling and attitude of the country. We have, generally speaking, as to facts, adopted the reports of the *Times*’ Commissioner, as affording the most recent and complete source of information ; but Mr. Campbell’s excellent work and Lord Dufferin’s Letters have also been constantly referred to.

1. Wages.—A year or two ago, Judge Longfield stated it as

* The Census returns for 1861 give for Ireland, under the heads of farmers, graziers, herds, drovers, ploughmen, and labourers, a total of 1,182,954 men ; for England, under the similar heads, a total of 1,421,064 men.

the result of his inquiries, that in Cork, Kerry, and Limerick, agricultural wages averaged 7s. 6d. a week. The *Times*' Commissioner reports that in Tipperary the labourer's wages average from 7s. to 9s. a week all the year round, paid either in money or food. In the neighbourhood of Cashel it appears to be from 7s. to 10s. a week, and considerably higher during the weeks of harvest. In the parts about Clonmel, where the price of labour is somewhat lower, agricultural wages average from 6s. to 9s. a week throughout the year. At Neagh, agricultural wages range from 6s. to 10s. a week; in Meath, from 5s. to 9s. a week. About Maryborough, in Queen's County, the wages of the agricultural class are high—not less than from 7s. to 10s. a week, and women can sometimes earn as much as 3s. In West Meath, in the neighbourhood of Athlone, the wages of the agricultural labourer average from 6s. to 10s. a week, and the class, as a rule, is not unprosperous. In the neighbourhood of Mullingar, in the same county, wages are from 6s. to 10s. a week. In the north, speaking generally, they are somewhat higher. It must be remembered that these rates represent averages, and that in many districts, especially in the south and west, employment in winter is difficult to obtain. These results in the main agree with those arrived at by Lord Dufferin. Of twenty-four instances of the rate of wages given by him,* ten vary from 1s. to 1s. 6d. a day, ten from 1s. 2d. to 2s. a day, and four are from 1s. 3d. to 1s. 6d. a day. Between 8s. 6d. and 9s. would appear to be the average weekly agricultural wage in Ireland at present. Observe, however, that it is the common, though not the universal, practice to make an allowance of fuel or food, or to give a rent-free cottage or garden to the labourer in addition to his weekly pay.† Turning from the labourer to the farmer, we inquire—

2. As to rents.—The rents about Tipperary range from 21s. to 39s. the English acre, and the price of food considered, the pressure of rent is considerably less now than it was in 1844. At Cashel the land is reported not to be over-rented, and the pressure from this source is said to be less than it has been. "It is tolerably certain that the rate of rent near Clonmel is not so heavy in 1869 as it was in 1844." At Neagh, rent is not now much more than from 15s. to 55s. the Irish acre, and is less burdensome than it was a quarter of a century ago. In Meath, it varies from 80s. to 16s. the Irish acre; in Fermanagh, from 40s. to 12s.; in Londonderry it is considerably higher. It does not appear on the whole that too high a rent is exacted by the landlord, although well-founded complaints are made in par-

* Irish Emigration, p. 278.

† *Ibid.* p. 283.

ticular places of rack-rent. In Queen's County the rent of land has risen comparatively little; it is now from 34s. to 45s. per Irish acre on the best farms; lands in the neighbourhood of the capital are not over-rented. In West Meath rent seems to vary from 36s. to 9s. the English acre, and the tenantry are less prosperous than in Tipperary and Queen's County. In the neighbourhood of Mullingar rents vary from 70s. to 15s. the Irish acre; the farmers, except the very small holders, are well off. As a general rule, rents are well paid.

3. In point of material comfort, therefore, the agricultural classes cannot fairly be considered in an unsatisfactory condition, measured by any standard to which they are accustomed. Whether Ireland is advancing, standing still, or retrograding, is another and a different matter. Mr. Donnelly, Dr. Hancock, Lord Dufferin, Mr. Lowe, and other observers, maintain a progressive improvement; most of the Irish Liberal members of the House of Commons assert a progressive decline. We own that we are unable to satisfy ourselves upon the point either way; but as regards the labourers and the small farmers, we repeat, there does not seem much to complain of. The cottier class has for the most part disappeared; the labourers' wages rise pretty nearly to the average standard of our own; they are tolerably well clad and fed; there is not (except in winter) much difficulty in finding employment. Mr. Campbell states the matter more broadly than this. He says,* "the universal outcry is that there *are* no labourers. They have almost all emigrated. Those who remain are masters of the situation. There are three or four farmers running after one labourer." The land is certainly not rack-rented. The rents are, according to every account, well paid; and at the present prices of produce, the farmers, large and small, are doing fairly well, and have accumulated a sum not much short of two million sterling out of the profits of trade. "Hundreds of these small farmers" (observes Mr. Campbell) "rear plump and healthy children, pay their way, pay their rent, keep out of the poorhouse, and are altogether most independent men."†

4. But the results which ought to follow from this state of comparative comfort do not follow. The Irish agriculturist does not appear to know his own good. As Mr. Caird says, there is a general feeling of uneasiness and discontent; as The O'Donoghue puts it, naturally in rather stronger language, "it is impossible for any reasonable and truthful man to say that the immense majority of the Irish are not pre-eminently disaffected towards the Government under which they live."‡ The *Times'* Commissioner fully bears out this statement. Throughout the whole

* "The Irish Land," p. 99.

† *Ibid.* p. 120.

‡ Debate on the Condition of Ireland, 1868. *Hansard*, fol. 190, p. 1614.

southern and central district there is a feeling which ranges from dissatisfaction to disaffection.

"In Tipperary the farmers are not contented; they are dissatisfied in a vague way; agrarian outrage has extensively prevailed, and the county supplies a fair proportion of Fenian recruits." About Cashel, "the agrarian spirit, if not so violent as at Tipperary itself, exists in strength." In Clonmel, "in consequence of the relations between landlord and tenant being better than in the neighbourhood of Tipperary and Cashel, there is a perceptible difference in the feelings and inclinations of the people." . . . "Agrarian crime has long been unknown; and although the right of the tenant to the soil was occasionally asserted, the impression was left of less irritated sentiments than in other parts of the same county." At Nenagh, although the condition of the occupying tenantry is not unprosperous, there is a great deal to cause just dissatisfaction, and the elements of serious disorder are latent. In Queen's County, "the peasantry seemed in too many instances to dislike their superiors," and "the notion that the relation between the owners and occupiers of the soil is tainted with wrong is in the minds of many who may be supposed to stand indifferent." The rights of landlords are tacitly in suspense. "All around Athlone the elements of discontent and disaffection abound; repeated complaints of rack rents, not without justice in many instances, and a kind of dull blind cry of injustice and oppression." "The agrarian spirit prevails in Westmeath, and has prevailed for years in extreme intensity."

Such is, in substance, the view taken by the *Times*' Commissioner, a witness assuredly not prejudiced against the present order of things. It is fully supported by the observations of Mr. Campbell,* a very shrewd and candid inquirer, and who thus speaks of the state of things in the spring and autumn of this year. "The attitude of the farmers themselves has been very quiet and moderate, although their feeling is deep. Farmers are a slow, unexcitable race all over the world, and the Irish farmers have been long led to disbelieve in the possibility of getting what they consider to be justice from a British Parliament." A Meath magistrate has very lately† sent to the *Daily News* an extract from a memorial addressed by twenty-four magistrates in Kells to this effect:—

"Within the last twelve months one farmer has been murdered. Three magistrates have been shot at: one in open day. In the attempt to murder them two ladies have been wounded, one seriously; and the coachman of one magistrate has been killed. The steward of another gentleman has been twice fired at, and, on the first occasion, severely injured. Several magistrates have received threatening let-

* "The Irish Land," p. 106.

† December 13.

tars. In none of these cases, owing to the undisguised sympathy of the population with the criminals, does there seem any prospect of the vindication of the law. The avowed object of the Ribbon Lodges in this neighbourhood is to wrest from the Legislature what they call tenant-right by landlord assassination. The small farmer or labourer who is not a member of a Ribbon Lodge is looked upon with suspicion and dislike. Many well-disposed persons are tempted to join the society in order to get possession of their pass-words as a protection from insult and violence."

This is not a bright picture. Nor is it relieved by the touch given to it by the Earl of Mayo. It may be true, as stated by the late Irish Secretary a year and a half ago, that out of 1100 men arrested by the Government for complicity in the Fenian insurrection only twenty-four instead of fifty-six were, as he phrased it, "engaged in the occupation of the soil." It may be true, as Lord Dufferin asserts,* that few of the actual occupiers of land are tainted with Fenianism; "that scarcely any farmers have been implicated in that conspiracy, though persons with a much more modified interest in land than themselves may have been entrapped." Seeing how completely a tenant-farmer without a lease is at the mercy of his landlord this is not very remarkable. We might even adopt Chief Justice Monahan's version, that "no *respectable* farmer has taken part in this conspiracy." The fact remains that in a country in which every fourth man is engaged in farming operations the Habeas Corpus Act has been repeatedly and continuously superseded during the last five years; that it is at this moment necessary to maintain a large military and armed constabulary force in Ireland; that in the West nearly every workhouse is a barracks, and gunboats are at anchor in every river; that agrarian crime prevails; that throughout whole districts legal rights are held under by the determination of the people not to tolerate their exercise; that those "engaged in the occupation of the soil" have just permitted a Fenian convict to be returned as member for Tipperary; and that generally a feeling prevails which is described by sanguine observers as dissatisfaction, and by the less hopeful as discontent.

The pressing question is, to what are these alarming symptoms due? What creates this wide-spread insubordination and restlessness among a people the great majority of whom belong to a class so generally favourable to order, and so conservative of existing institutions? The cause is to be looked for amongst the conditions under which they live, physical, mental, political, social, or industrial. Each of these has in turn been assigned as

* P. 201.

the true antecedent of Irish discontent. One thing at least is clear: it can be no trivial cause which suffices to account for results so grave; nor can it be any fact of partial and limited application. The reason must be adequate, and co-extensive with the circumstances to be explained. Some of the causes ordinarily assigned may be dismissed with little hesitation. There is nothing in the physical condition of Ireland to render its people other than happy. The island is as well fitted to be the home of a prosperous and contented population as England herself. Neither in respect of climate nor soil, nor geographical position, can any exception be taken to the physical circumstances of the people. Mr. Disraeli's hypothesis of their proximity to a melancholy ocean being an efficient cause of Irish discontent, if it was not intended as a joke, is too grotesque for serious remark. Nor does the theory of race—the *ignava ratio* of puzzled politicians—supply any solution which can be accepted as probable. It has already been stated that the Celtic population is chiefly found in the centre and west of the island, and in a larger proportion in the west than elsewhere; that it prevails least in the north, and that along the coast line it has been largely mixed with foreign stocks, especially towards the east and north. Mr. Campbell has observed that there are in Ireland three districts, each with its own remedy against the landlords.

"Roughly, the country may, I think, be divided into three zones: in one of which the tenant mainly relies on custom, in another on force, and in the last on the honour of his landlord and the influence of public opinion." . . . "The reliance on custom is in the greater part of Ulster and in some more limited tracts of the other provinces where the tenants have succeeded in reducing the system to a definite and recognisable custom which the landlords could hardly resist." . . . "The second zone is that which I have described in my first part as the south, but which may more properly be called the centre—that is, from Tipperary in the south to the borders of Ulster in the north. This zone is somewhat in the stage in which the north may have been when the agrarian disturbances of the last century occurred there—that is, the custom is uncertain and imperfect, but is maintained by violence." . . . "The third zone is the further south and extreme west. Here the position of the tenant is not secured by systematic violence."*

The theory of race breaks down, therefore, entirely. It cannot be the quickness and impetuosity of the Celt which causes agrarian disturbance; for in the most purely Celtic districts—Kerry and West Galway, for example—there is less violence than in any part of Ireland. Nor can it be the dogged stubbornness of the Teuton, for Ulster is the most contented and law-

* Campbell, "The Irish Land," pp. 112, 399.

near Tipperary and Cashel exists only in a mitigated form. Bad landlords are not much complained of: a very large proportion of landlords of the more influential class reside on their estates; leases are given comparatively freely; and in many instances landlords either make all the improvements themselves or allow a liberal compensation for them.

At Nenagh, absenteeism prevails. Several landlords are condemned by the popular voice as unjust and grinding; almost everything that during two generations has been added to the value of the soil, has been the result of the labour of the tenant. Leases are extremely rare; on some estates they are peremptorily refused, and sometimes most unjustly; notices to quit are regularly served every year on some estates, and a good deal of coercion has been practised at elections.

The landed system of Queen's County does not differ widely from that of Tipperary. Absentee landlords are tolerably numerous; in the overwhelming majority of cases the improvements have been effected by the occupiers, yet the whole class is without any durable tenure; the practice of selling the goodwill of farms prevails to a considerable extent.

In West Meath, absentee landlords are not numerous, but the residents, as a class, are not progressive. Leasehold interests are rare, and, having been formerly very numerous, are becoming fewer year after year, yet, though the tenants have only precarious tenures, they have, with slight exceptions, done everything which has been done for the land for ages. West Meath presents, in a marked form, the contrasts of tenure. The greater part of its fine lands is held by substantial farmers; many of these have the security of a lease, but by far the largest portion of the county is still occupied by small farmers, who legally are mere tenants-at-will, though they have added much to the value of the soil by building, enclosing, fencing, and tillage, and though they have purchased their interests in numerous instances. Mr. Campbell, also a recent and most accurate observer, writes in the same strain:—

“Although it is true that some modern landlords have done much in the way of improvement, there can be no question that, as a rule, in Ireland it is the tenant, and not the landlord, who has reclaimed the land, built the homestead, put up the fences, and done most of what has been done.”*

So, Mr. Caird:—

“There are some peculiarities in the customary relations between landlord and tenant in Ireland. They have two main features: the first, that in Ireland the rule has been to leave the tenant to execute,

at his own cost, all the permanent improvements on his farm; the second, that the mass of tenantry occupy without any written contract with their landlords."*

Lord Dufferin's testimony points in the same direction. One of the inquiries which he proposed to prosecute was an inquiry into the truth of the allegation that the present discontent in Ireland has been chiefly occasioned by the iniquity of the laws affecting the tenure of land. Yet when he comes to discuss this important part of his subject (which he dismisses in half a dozen pages out of a volume of 400), he first admits "the existence of a certain amount of disaffection in the minds of a large section of the Irish race," and then announces his conclusion in the following very guarded terms:—

"What I see reason to dispute is, that the hostility manifested towards the Government of England by the Irish in America, in the great manufacturing towns of England and of Scotland, *and by the non-occupying population of Ireland itself*, has been occasioned by laws affecting the tenure of land, or is likely to be modified by any change in them."†

When we remember that the occupying population was returned in 1866 as 597,628 persons (Lord Dufferin himself puts it at 540,000 persons),‡ something like one in twelve of the whole population, and that all these persons are immediately affected by the land laws, there does not seem to be much comfort in the view that those laws have not created discontent in some other class who do not occupy the land, and who are not, therefore, directly interested in the conditions of tenure.

The state of Ireland, looked at with reference to its agricultural interests, may be summed up as follows:—During the last fifteen or twenty years there has been a change for the better in the circumstances of the labouring and occupying class. The rate of wages has increased, and it now stands at an average of from 7s. to 10s. a week—a sum sufficient to provide the bare necessities of life.

The habits of the people are improving; the landlords' rents are well paid; the tenant-farmers are so far prosperous that they have accumulated large balances in the banks. The consolidation of farms is increasing; emigration is on the wane; middlemen are fast disappearing; and large estates are no longer held by insolvent landlords. Absenteeism has diminished: many of the largest landlords are anxious to do what is right by their tenants; and among landowners of every class a higher standard of duty prevails than

* "The Irish Land Question," p. 16.

† "Irish Emigration," p. 200.

‡ *Ibid.* p. 229.

was generally found twenty-five years ago. Although no one who has examined the subject would endorse Lord St. Leonards' opinion, that "according to the evidence nothing could be better than the relations existing between landlord and tenant, and that the evidence with respect to evictions was equally satisfactory,"* yet tried by any social or economic test, the condition of the land industry in Ireland must fairly be considered an improving condition; and yet, although improvement has taken place, that improvement is only relative. Measured by the standard, not of what Ireland was, but of what Ireland might be, the view is far from reassuring. Irish agriculture is backward; the relations between landlord and tenant are unsatisfactory, and the pressure of rent in places is still heavy. The farmers do not carry their savings to the land. They hold generally without the protection of a lease, and this not because they do not wish such protection, but because they are unable to get it. After making every deduction for exaggerated statements, it must be allowed that in very many cases landlords have taken advantage of their strict rights to appropriate tenants' improvements. The land is in great part occupied by holders of extremely small lots, and the competition for farms occasionally forces rents to an unnatural height. Above all, the temper and feeling of the people show that the signs of prosperity are only surface-deep. There is serious discontent among the occupiers of the land. The rights of the owner are held in suspense in central and southern districts of the island, and are openly encroached upon in the northern provinces, and in those scattered provinces where tenant-right prevails. So-called rights of property, which would be exercised without offence in any English county, are not dared to be enforced. A feeling stronger than the law, and in open defiance of it, controls landlords and tenants alike; and those who, like Mr. Lowe, entertain a prejudice, derived from Scotland, that a man is at liberty to do what he likes with his own, find when they go to Ireland that prejudice quickly and rudely shaken out of them. The Irish people are crying aloud for fixity of tenure. By fixity of tenure they mean that every occupier shall be entitled to hold his land for ever so long as he pays rent. In fact, things have come to that pass that even those who most devoutly believe in the divine right of landlords admit that something must be done.

If Ireland is not speedily cured, it will not be for want of advice. The age of pamphlets has come back: those gentlemen whose ambition and pleasure it is to write letters to the *Times* have been unusually active, and nearly every week brings to

* House of Lords, 12th March, 1868. Debate on Tenure (Ireland) Bill.

light some simple plan for making things pleasant without trouble or risk. Nor have Parliamentary orators neglected the opportunity of explaining their views at agricultural dinners. The Earl of Carnarvon has spoken, the Marquis of Hartington has spoken, the Earl of Derby has spoken, and the Earl of Clarendon has spoken. These noblemen concur in looking at the matter as if it were mainly a question of agricultural improvement. The Marquis of Hartington says, plainly: "The tenant-farmers must show to the satisfaction of Parliament that the legislation they propose will not only be good for themselves and the agricultural labourers, but that under such legislation Ireland will be made to produce as much as she would under the best system of agriculture." The Earl of Derby urges the necessity for a certain amount (by which he means a considerable amount) of capital for successful farming. He thinks that farming cannot succeed in the long run if it is carried on on such a scale as to render the use of mechanical appliances impossible. "This consideration is important, because there is in the present day a school of thinkers—amiable and kind-hearted men, and no doubt sincerely persuaded of the truth of the theory they set forth—who believe that it would be a great gain to this country if the land were to be in general the property of those who work it with their own hands. In other words, if, instead of our system of landlord and tenant, we were to have that peasant proprietary which already prevails in many parts of Europe." That system (Lord Derby maintains) is equivalent to the substitution of hand labour for machinery, and to the separation of the capital of the country from the soil of the country, and therefore, in his opinion, involves, not progress, but retrogression. Lord Carnarvon also, in a recent speech, deprecated the application, "generally and extensively," of a small system of holdings. "In Flanders" (he observed) "they have a most minute system of cultivation—in fact, there are there almost nothing but small holdings; but it has been stated, on the best possible evidence, that the small farmers in Flanders are in a worse position than the farm labourer is in England." The real principle, said Lord Carnarvon, by which the Irish difficulty can be overcome is a proper system of leases.

These suggestions are manifestly inadequate. There is little use in telling 300,000 farmers, with holdings of from one to fifteen acres, that they must show their ability to get the utmost possible return from the soil, or in pointing out the necessity of large capitalist farming in a country where scarcely more than 1500 out of 600,000 occupiers have 500 acres in hand. Ireland is a country of small holdings, and her difficulty is that the small holders have no security for the capital they sink in the land. To consolidate farms for the purpose of scientific

husbandry would require the removal of the vast majority of the occupying population; to ask these men to bring additional capital into their business without first giving them additional rights is to request them to make a further advance on an already worthless security; to suggest "a proper system of leases" is mockery, for their landlords decline to give leases at all. If the House of Lords is not prepared to go farther than this, stormy times are at hand.

The efforts of Parliament to adjust the rights of landlord and tenant do not call for much remark. Two Bills have, indeed, been introduced within the last few years with the common object of entitling tenants to compensation. But those Bills did not apply to compensation for existing improvements, and having said this it is unnecessary to say more.

Of the suggestions which it is worth while to consider, three, or rather three classes, stand prominently forward. They all aim at giving not only compensation but security to the tenant. They may be divided as follows:—

1. Those giving leasehold interests (Mr. Caird, Mr. Butt).
2. Those giving the sanction of law to tenant-right customs (Mr. Campbell).
3. Those operating by a change of proprietorship—i.e., substituting the present occupiers for the present owners, on certain terms of purchase. (Mr. Dix Hutton, Mr. Bright, Mr. Mill.)

Mr. Caird's plan is contained in the following propositions:—

"1. Presumption of law as to buildings and other improvements to cease. Tenant, on eviction, to be entitled to compensation at their value for all such as have been made by him. Landlord to be freed from all claim on granting lease of adequate duration at present rent.

"2. A tenant holding without written lease to be secured in possession by presumption of law (except for failure to pay rent) for an equitable term, say five years, sufficient to recoup the expenditure necessary to a proper system of cultivation.

"3. Encouragement to be given to the system of leases for a fixed term, by the Government loans for land improvement being made conditional on leases of not less than twenty years being given to tenant.

"4. Tenants for life and trustees to be empowered to grant farm leases, and charge the fee-simple with compensation for improvements.

"5. Equitable claims already existing under Ulster Tenant-Right to be recognised in law. But where it is thought desirable by both parties to compensate and extinguish them, the extent and equitable value of the right to be ascertained and compensated by the landlord." . . .

"6. [Provisions as to settlements of disputes.]

"7. No notice of eviction to be legal unless published at the proper time in such newspapers as the special court or commission shall from time to time appoint."

Mr. Butt would compel leases for sixty-three years to be given

at two-thirds of the rack-rent in all cases. He adds provisions for the resettlement of the rent every seven years on the basis of the price of produce. Mr. Campbell's view (and we take this opportunity of advising every one to study his exceedingly thoughtful and acute little book) is, that the Ulster Tenant-Right offers the basis of a settlement. He would give legal sanction to this custom, and systematize and regulate its incidents; on the one hand, securing to the landlord the right to raise the rent reasonably, to prevent subdivision and subletting, and to veto an objectionable tenant; and, on the other, giving the tenant that status in law which he has at present by custom.

Mr. Dix Hutton seeks the gradual creation of a farmer-proprietary by empowering commissioners to assist occupying tenants of agricultural land either to purchase their holdings or to acquire the ownership, subject to a fee-farm rent, with a right of redemption on stipulated terms. He further proposes that the commissioners should be empowered to buy estates or parts of estates in order to convert the occupiers into owners, at once or at the expiration of a terminable rent-annuity. This suggestion (based on the Prussian Land Settlement) is said to meet the approval of a number of Irish gentlemen of different religious and political opinions.

Mr. Bright's proposal differs from Mr. Dix Hutton's in its means, not in its end. The purchase of estates by occupying tenants and the creation of an independent class intermediate between the great landowner and the peasant, is common to both; but while Mr. Dix Hutton would capitalize such parts of the Church property as is not subject to private rights, and thus form a purchase fund, Mr. Bright would charge the purchase-money on the Consolidated Fund, the land remaining meanwhile a security for the advance until the sum lent had been repaid by annual instalments spread over a period of thirty-five years. That this plan is perfectly feasible there can be no doubt. Like Mr. Dix Hutton's, it is founded upon the principle of the Prussian Rent-Banks, which have been in operation nearly twenty years, and have been the means of transferring a large proportion of the Prussian territory to a peasant-proprietary. In England it has been acted upon for many years by numerous benefit building societies to the common advantage of borrowers and lenders. Mr. Mill would effect the same result by means yet more direct. He would pay to the landlord out of the national treasury a sum equal to the capitalized value of his rent, or secure it by the guarantee of the State, and he would commute the present variable into a fixed rent. In the result every farm in the country not occupied by the proprietor would become the permanent holding of the existing tenant at a fixed

rent, the State paying the difference (if any) between the amount due to the landlord and the amount receivable from the tenant.

Glancing back at the various proposals which have been made, it will be seen that they fall into two divisions: The first consisting of those which provide mainly or exclusively for compensation; the second, of those which provide for security of possession. Any attempt to deal with the Irish land on the basis of compensation alone may be summarily dismissed as a practical question. No one (if we except Lord Dufferin) who has lately studied the subject even affects to believe in its possibility. The question has long ago passed out of that phase. Ten years ago compensation would have been gratefully accepted. To-day it would be indignantly scouted. What farmers want at present is fixity of tenure, not compensation for improvements. So much for the masterly policy of delay. There are, however, objections on principle to any settlement founded on this basis. In the first place, compensation implies that the soil belongs to the landlords, and that the interest of the occupying tenants is founded on contract merely. Advantage, therefore, cannot consistently be taken of this remedy by that large class who claim tenant-right—they would be abandoning their title if they asked for compensation, and this they would be exceedingly unwilling to do. Much of the worst kind of injustice would accordingly never be reached.

The proposals for security of possession have not the obvious defect of insufficiency which marks those for mere compensation. Probably, under any one of the three classes of this group, a Bill might be framed which would be accepted by the Irish people. But they fall short in one most important particular. None of them recognises the all-important fact that land is not a proper subject of individual ownership; all, indeed, imply the contrary. By the proposals of Mr. Caird, Mr. Butt, and Mr. Campbell, the ownership of the soil would be left in its present hands, subject to the interests of the tenants. By the proposals of Mr. Dix Hutton, Mr. Bright, and Mr. Mill, it would be transferred from the existing owners to a new class of proprietors. This is to perpetuate a state of things wrong in principle and most obnoxious and inconvenient in practice.

We may be mistaken, but we cannot help believing that the difficulties in the way of a satisfactory settlement are to a great extent self-created. They arise from the inveterate prepossession in favour of our own institutions which is our characteristic national failing. The people of England have for many centuries been accustomed to a form of land tenure which, harmonizing with the habits of a large section of the community, has been so modified as not to embarrass to any considerable extent industrial

enterprise, and not to interfere with a tolerable degree of individual liberty. The injustice which this system works under other and less favourable conditions has not been brought home to them. They know that they have lived and prospered, in consequence of these laws as many believe, in spite of them as others maintain. Hence it does not occur to everybody to consider the policy of the land laws as perfectly open to question. The capitalists and the gentry look on them not only as right in themselves, but as part of the cosmos; the middle class half tolerate and half approve, and the proletariat has not yet brought its influence to bear on the discussion of the matter. Thus it comes to be pretty commonly assumed that a system which is good for England is good enough, if not too good, for any other country. So long as Irish questions are approached in this mood they will present insuperable difficulties. The Irish people have views of their own as to property in land, which differ very widely from ours, and to which they have the strongest possible motives for adhering. If we can be brought to see that it is a fair question for discussion what form of land tenure is best for Ireland, if for the moment we can be induced to forget ourselves and our greatness, and the admirable system of real property law under which we flourish, the Irish difficulty will be half solved already; for to any man not pre-occupied with a ready-made opinion it will appear, on examination, that in the chief points in which the English conception differs from the Irish it differs for the worse. The Irish system is founded on the assumption of joint-ownership or co-partnership in land between the community and the occupiers. The English system is founded on the assumption of an absolute ownership in the individual, in which the community, as such, has no part, and over which it can exercise no rights, except under very special circumstances and for strictly limited ends. The Irish system starts with the rights of the people, and modifies these rights by engrafting on them privileges acquired by private persons through contract or by usage; the English system reverses this order, treats the public as trespassers, and reserves its prerogatives for the private owner. Historically, the Irish land system recalls the life of a village community, in which the feeling of the unity of the tribe is uppermost; the English tenure reminds us of the occupation of a conquered country, in which everything is reserved for the dominant class: the former is founded on custom, the latter on usurpation; the one is political and social, the other military and dynastic. The Irish difficulty consists in this, that the Irish people have not been broken in to the English land laws. They rely on status; they are passionately attached to the soil; the recollection of another order of things still survives; they cannot (as Lord Dufferin laments) be made

to comprehend that an independent labourer is a more respectable personage than a struggling farmer, and a prosperous husbandman than a rack-renting squireen. But a foreign system of law has been imposed upon them under which their status rights are not recognised. And then we wonder that they complain, and propose to give leases and compensation for improvements.

Assuming one of the chief obstacles to the solution of the Irish land question to be found in the prepossessions of Englishmen for their own system of land tenure, it is material to inquire how far that prepossession is justified, and on what foundation it rests. And here we are met by a difficulty common enough in our jurisprudence. We find that while the theory and language of the law point in one direction, its usage and interpretation point in another. No principle is better established as an abstract proposition than this, that all lands are held mediately or immediately of the State, and that no subject can be more than a tenant; yet it is impossible to point out any material incident of absolute ownership not depending on the physical difference between the things themselves, with the exception of a gift by will for charitable purposes, in which the tenant of an estate in fee-simple differs from the proprietor of Consols. To appeal, therefore, to the language of the law is to pursue a shadow. While in terms it denies absolute ownership of land, in fact it permits the landlord of half a county to exercise powers practically unlimited during his lifetime, and only slightly limited for a certain period after his death. If any one denies this to be a case of absolute ownership we will not quarrel about the term. Take the thing for what it is, call it by whatever name may be thought most appropriate, we merely ask how it can be justified, and on what basis it rests.

It may be looked at in two ways: it may be regarded as a question of pure abstract right, or as a question of necessary social convenience, and on either view it may be justified. Obviously, if the assertion of absolute proprietorship of land in some persons is one of those truths which, while they may be neglected in practice, has the sanction of the highest morality—if it be one of those truths which men tacitly acknowledge even while they seem to deny them, we shall ask no better warrant for its validity. On the other hand, if it can be shown, as a matter of experience, that social life requires such dominion—that whatever may be the abstract equity of the question, as a matter of plain fact and history, land always is owned by some persons to the exclusion of others—then to men seeking to deal with a practical question, that must be considered a sufficient justification. But if neither ground will hold; if neither as a maxim of equity nor as a truth of experience can the limited

proprietorship of the soil be justified, we shall know what to think when it is sought to stay necessary reforms by the cry of interference with the sanctity of property. And first, how does the English doctrine appear when regarded as a matter of strict right.

It will be sufficient to assume that an owner of land in England has the following powers: (1), the power to prevent any stranger from setting foot on his land without his licence; (2), the power to remove all persons already being on his land who are not protected by contract with himself or those through whom he claims. That these powers exist, that they may be exercised, and that they are in fact constantly exercised, is matter of familiar experience. Let us examine them, first, by the rule of right.

Probably no one who takes part in the discussion of this question would go the length of asserting that human beings born into the world have no rights of any sort. It is needless at this moment to inquire from what source their rights are derived, if only it be conceded that they possess any. But if any rights they have, the right to exist must be one of them, and the first, since it is the condition of all the others. Let it be conceded that the inhabitants of this country and of all other countries may justly claim to live, it follows that any laws which bar this claim are unjust and indefensible, because not conforming to the standard of equity to which we now appeal. On the other hand, if the powers just mentioned which are given by the English law to landowners are in their turn consistent with an equally binding rule of equity, no one can complain of their strict exercise. To do so would be manifestly wrong, as wrong as on the hypothesis it would be to deny to the same landowners the liberty to exist. Now, the landowners of the world must either be its whole population, or some part of that population less than the whole. But if every inhabitant owns a portion of the surface, proprietorship in land, in the sense claimed by the English law, it cannot be, for there must of necessity be a fresh partition at every instant of time, and no one can say for two successive seconds, This is mine. If the landowners of the world are, as in every discussion of this subject they are assumed to be, a portion more or less limited of the total population, and if they are acting within their strict rights in excluding the residue from setting foot in their territory, which must also be conceded if the powers given them by the law are just, it follows that the excluded population have no right to standing room, and, therefore, cannot live. But there cannot be two equal rights which exclude one another. To any one, therefore, who believes that human beings have the right of existence, the doctrine of land-

ownership to the extent asserted by the English law must seem untenable, because inconsistent with a natural right.

To these theoretical considerations may be added others of a different kind. Land is the only species of property which in a country like England constantly increases in value. The causes of this continual enhancement are very general, and no one person ought to reap the exclusive benefit of it. The nation at large should derive whatever profit is to be obtained from its own development.

Land is constantly required for public purposes. As things now are, enormous sums are paid in the form of compensation to individual owners, and still larger sums to buy off their opposition, if they happen to be wealthy or influential. But no person should be put in a position relatively to the community that it becomes necessary to bribe him not to stand in the way of the general good. The nation should possess the material required for its own growth. At present, if a man wishing to farm buys a field, or wishing to shoot buys a moor, he gets in addition to what he bargains for and actually wants something else which was not in his mind when he purchased, and formed no inducement to him to do so—all minerals under his property. These minerals, the discovery and realization of which are effected by the scientific and industrial advance of the nation, should be national property. No single reason of any validity can be given why the landowner should have this bonus upon his estate where he did not expressly contract for it.

Looked at by the light of these principles, the settlement of the Irish Land Question would seem to require the acquisition by the State of the Irish land, and the creation of fixed and secure tenancies in the land acquired. It remains to be seen how the rights of these two parties, the State, and the existing occupier, should be defined and secured.

The State, in its capacity of landlord, has a right to the rent; not merely to the present rent (as we understand Mr. Mill to propose), but to any rent which the land may ultimately be worth. It is also entitled to protection against excessive subdivision and subletting of the tenements, and against deterioration by exhausting cultivation or other means.

The occupying tenant has a right to undisputed enjoyment of his holding so long as he pays the rent from time to time fixed. He has also a right, on going out, to receive the value of any improvements he may have made.

— These being the general rights of the two parties, it remains to give effect to them. This may be done in the following manner :—

1. The interests of the existing landowners to be valued by

commissioners appointed for the purpose, the owners to have the option of receiving the purchase money at once, or of being inscribed as holders of Consols for the amount, as suggested by Mr. Mill.

2. The worth of the holding to the present occupiers to be similarly valued, under two heads: (a), tenants' improvements; (b), rent exclusive of such improvements. This valuation to be, in the case of tenants, from year to year or at will, immediate; in the case of leasehold tenants, at the expiration of their lease. A valuation to be made every seven years both of tenants' improvements, and of letting value exclusive of such improvements, and a register kept of the respective amounts.

3. Option to be given to tenants at will or from year to year of continuing their holding so long as they choose to pay the valued rent, or of going out at any time on giving a certain prescribed notice. In the latter case, the tenant to receive the value of his improvements as appearing by the register. Every tenancy to be determined by death, and subletting and subdivision of existing holdings not to be permitted without licence.

4. Rent to be paid to the State. A prescribed sum to be deposited by the tenant in the State Land Bank in every case, as caution money. This sum to bear interest; such interest to be deducted from the rent. The caution money not to be withdrawn until the termination of the tenancy, but the tenant to be at liberty to invest money to any amount in the Land Bank.

Let us see how this would work. A. is a tenant from year to year of a farm of fifty acres, for which he pays 25*l.* a year rent. Part of his farm was originally bog, which he has reclaimed and drained; he has built a cabin and a shed. These improvements are registered, and valued to him as 20*l.* The present letting value of the farm with the improvements is 30*l.* He is required to pay, say 20*l.* into the Land Bank by way of caution money, for which he receives interest at 4 per cent., deducted from his rent. He sits therefore at a rent of a little over 29*l.* a year. At the end of seven years, on the revaluation being made, it is found by a comparison with the register that he has still further improved his farm by drainage, manuring, and other processes, and that his buildings are in good repair. These further improvements are valued to him at 15*l.* He is accordingly credited with a sum of 35*l.* under this head, and if he should desire to quit, he will receive that sum together with his caution money at once. Suppose the contrary case—that he has reduced the land, put nothing into it, and taken as much as possible out of it; allowed his building to fall out of repair; and that this deterioration amounts to 30*l.* If now he wishes to quit, how does he stand with his landlord? The value of his

own improvements is more than exhausted ; he has got them back and something more, and that amount he may justly be required to pay out of his caution money. He would therefore, in the case put, receive 10% only on quitting.

The first objection which will be made to any proposal to buy out the landed proprietors of Ireland is, that we should have Ireland as a State property at a very heavy cost. The value of Irish real property, taken at an average of twenty years' purchase, is about two hundred millions, or a fourth of the national debt. Whether even a great pecuniary sacrifice would not be justified in such a case may be left to the good sense of the people to determine. For a great healing and pacific purpose a nation which expended 560 millions in the continental war at the beginning of this century, and which spent eight millions on an Abyssinian expedition, might well afford to raise that sum. "A long experience," says Lord Macaulay, "justifies us in believing that England may, in the twentieth century, be better able to pay a debt of sixteen hundred millions than she is at the present time able to bear her present load." But the money in this case would be invested, not spent ; and it is by no means certain that as a mere speculation the enterprise would entail a loss ; that in the course of a century it would be found to have paid exceedingly well is highly probable, the increase in rent and in the undeveloped resources of the country considered. A greater difficulty would arise when the value of the landlords' interest had to be assessed. What he is entitled to is the market price of his estate, together with a percentage for compulsory sale. But if all the land in the country were to be taken, the market price would be a mere estimate, and extravagant claims would be made by some owners for prospective value and the like. Still, though everybody might not be satisfied, there is little doubt that substantial justice might be done.

There is next the more embarrassing question of rent. The State being on the supposition the universal landlord, might apply an arbitrary standard, and refuse to let any land below a certain price. It is to be assumed that this power would not be exercised, and that the State landlord would estimate the sum to be paid on the principles adopted by any other landlord. But what are these ? Lord Dufferin observes that there are three standards of land valuation in Ireland : the competition or tenant's rent, which is generally in excess of what his limited skill and capital enable him to produce ; the agent's rent, which is regulated by what his experience tells him the tenant is able to pay without embarrassment ; and the theoretical rent, which the land ought to pay if properly cultivated. And he puts this case :—

"Supposing that land which, if properly cultivated, would bear a rent of 40*s.* an acre, and for which the tenants themselves would offer 30*s.* at an auction, were valued by the Government officers at 20*s.*, what would be the effect? Why, that at the first devolution of the tenancy, the outgoing tenant or his representative would exact from the incomers a fine exactly equivalent to so many years' purchase of the difference between the restricted rent of 20*s.* an acre, and the competition rent of 30*s.*: the effect of the transaction being that the new tenant would be charged with a double rent for all time to come, and that the landlord would have been defrauded of what so far as it represents any value at all, is a portion of the fee-simple of his estate."

Judge Longfield has the following observations bearing on the same subject :—

"What is most generally proposed is, that every tenant should be entitled to a valuation of his farm, and to hold his land for ever at a rent to be determined by such valuation. Nothing can be more unjust than to substitute a valuation for a contract; but the injustice is not manifest at first sight, for the words appear fair. Why, it is said, should any tenant be required to pay more than the fair value for his farm? But every one who has any experience knows that nothing can be more uncertain and undetermined than the valuation of land. It is not uncommon to see two valuers differing enormously in their estimates, and yet neither suffering in reputation as if he had made a discreditable mistake. In this case all the mistakes would be made in favour of the tenant. If any mistake were made against him, the remedy would be in his own hands, for he would not take the land; but indeed no such mistake would be made, for there would be a constant leaning in favour of the tenant. It is certain that the value as fixed under any tenant-right measure would be less than half the fair rent which a solvent tenant would willingly pay for the land. It is obvious that as soon as the possession of land ceased to be a subject of contract by mutual agreement, the valuers would have no average market value to refer to, and would form their estimates on the wildest principles."

We quote these observations because they point to a real difficulty, and as coming from men who have a title to be heard. The objection put forward by Lord Dufferin would not, however, arise on the plan suggested. The State landlord asks for nothing more than rent; if that rent be duly paid, and the property given up in the state in which it was originally granted, the tenant may, so far as the landlord cares, make what bargain he can for the goodwill, and get any bonus for going out that any one is inclined to give him. The incoming tenant will have to pay the valued rent and give his caution; he will be liable to be ejected for non-payment; if he scourges the land the periodical septennial valuation will find him out; his caution money will then no longer represent his liability, and will have to be in-

creased. With these safeguards it is not likely that any one will pay a sum for goodwill which would so far hamper him as to render it impossible to discharge his prior liabilities. As to the three valuations of rent, the only one which could be adopted, and which it is necessary to consider, is the valuation founded on the ability of the tenant—the agent's rent, as Lord Dufferin calls it, practically the rent which can be got for the land in a market regulated by the competition of value, and not the competition of famine or of land-hunger. It is on that rent that Judge Longfield's observations bear. He says no two valuers would agree upon it, and that it would be invariably assessed in favour of the tenant. With all respect to so great an authority, we do not see the necessity. There is no reason why a fair valuation of any farm, regard being had to its capabilities, its markets, and so forth, should not be made. Valuers do very often disagree; but then they are usually employed on different sides, and in cases of exceptional difficulty. Taking the average case there is nothing to prevent a satisfactory and reasonable assessment being made, and where, owing to death or abandonment, a farm comes into the public market, farmers enough will be found to pay this price. The advantages will be so great that the danger is that rent may be run up by competition to a point which will embarrass the farmer; but ejection for non-payment of rent and the system of caution money may be expected to guard against this contingency.

It is a necessary part of any plan of compensation to provide machinery for registering the improvements on which the claim for compensation is to be founded. On comparing the land with the register it would appear approximately at any time how the land had been dealt with. There would not be any great difficulty in framing a scale of allowance for ordinary agricultural improvements. In most farming counties in England it is pretty well settled by custom what chalking, claying, draining, and manuring are worth. In Lincolnshire, for example, what the tenant lays out in chalking is divided over seven years, and if he leaves before that time he receives the proportion which is left. Bone manuring is similarly divided over three years, and claying over five years. It might be necessary to define generally the nature of the improvements which would be allowed for, and to restrict them to such as fall under the head of agricultural improvements.

An objection apparently very formidable is often brought against the proposal to give fixity of tenure—namely, that it would stereotype the small holdings. It would seem to be the opinion of good judges that the smallest area which a tenant can cultivate with advantage in Ireland is about twenty acres as

a minimum. The agricultural statistics for the year 1868 show that there are more than 200,000 occupiers below this standard. But it must be remembered that an occupier without a lease, or even with a lease (and it is on such cases that the opinion of Judge Longfield, Mr. Dillon, and others is founded), is a very different person from such a tenant as would be created by the plan proposed. The latter approaches more nearly to the peasant proprietor than to any other kind of occupier; he has the same interest in getting as much as possible out of the land, and he knows as well as the proprietor that what he gets is his own. Even with all their present disadvantages, the Irish tenant-farmers do manage to live and pay rent; their holdings (if not so large as to enable the maximum benefit to be reaped) are probably large enough for the present state of industry and capital of these small holders. With the stimulus which a secure tenure would give, a very great improvement may be looked for. And how stands the case as regards the peasant proprietors? What is the smallest plot of land which such a one can cultivate with advantage? A writer cited by Mr. Mill* asserts that in Belgium a family can live and thrive on six acres of moderate land; that in a farm of ten acres, cultivated by the spade, all operations are rendered more easy, while fifteen acres may be very well cultivated. Lord Carnarvon and others have called in question the inferences as to the prosperity of the small cultivators founded on the case of Belgium.

"The real facts," says Lord Dufferin, "are these: that, making a proportionate deduction for the population employed on the pasture lands of both countries, the total population dependent on tillage in Ireland is probably almost as dense as that of Belgium. That the greater portion of Belgium is cultivated, not by small proprietors, but by tenants (and almost entirely so) wherever *la petite culture* is carried to excess. That the competition for land is intense and rack-rents universal. That from 1830 to 1846 rents have risen 25 per cent.; and between 1846 and 1860, 40 per cent., though the price of grain has only risen 5 per cent." . . . "That the condition of the agricultural population is worse where the subdivision of farms is greatest, and best where the farms are largest. That the Belgian labourer is supposed to be the most industrious and the worst paid of any labourer in Europe; that the farmer is scarcely better off than the labourer; and that in Flanders population is not merely at a standstill, but diminishing."

Assuming these facts, it is to be observed that the unfavourable picture here presented is one, not of the peasant proprietor, but of the tenant. M. de Laveleye, who is Lord Dufferin's authority,

* "Political Economy," Book II., Chap. VI., Sec. 5.

expressly draws the distinction which the passage above quoted does not bring out between these two cases :—

“De tous ces faits on serait tenté de conclure que si la petite propriété offre d'excellents résultats et pour la culture et pour le cultivateur, quand celui qui exploite la terre la possède, dans le cas contraire la grande propriété assure une meilleure condition au fermier.”

As to the subsidiary provisions of caution money—the power reserved to the State landlord to prevent subletting and the like—it is not requisite to say much. The men who have invested twenty millions in the purchase of tenant-right, and as much more in Banks, may be expected to find any sum required by way of caution. To the observation that ejectments for non-payment of rent, and the exercise of the right to prevent subdivision and subletting, would be invidious powers for the State to exercise, the reply is, first, that such rights are cheerfully acquiesced in already in the Irish tenant-right counties; and second, that the effect of the provisions above would be to minimize the chance of their having to be exercised. The tenant would only have to pay rent; not, as in Mr. Dix Hutton's plan, rent plus purchase money: and no Irish tenant thinks it hard to be evicted for non-payment of rent. His caution money would secure the State landlord against other claims.

And, after all, the true answer to these objections, and to many others of a similar kind which might be urged, is, not that they are of no weight, but that they are outweighed by the advantages of securing content in Ireland. When the Earl of Derby expatiates on the disadvantages of small farming, and the Earl of Carnarvon on the evils of peasant proprietorship, they seem to forget that the problem is a political, and not an agricultural problem. What has to be done is to devise a system of land tenure which shall satisfy the statesman, not merely one which commends itself to an improving farmer,—a substantive concession; something which will be felt and acknowledged to be such—a settlement, and not a compromise. The question is now, not what it will suit English prejudices to give, but what Ireland will be content to receive. As regards the Government, we believe that here, if anywhere, the bold policy is the wise policy. The attention of the country is thoroughly roused. Whatever may be said of the old Whigs, the Radical party is thoroughly in earnest in this matter. Those whom Mr. Disraeli derides as “the philosophers,” and those whom his followers are fond of calling “the mob”—two not inconsiderable forces as parties now stand—are at one in desiring a very large and thorough revision of our land laws: in Ireland first, in England next. There must be no commission of inquiry; the

facts are within reach of all who choose to look for them. There must be no attempt merely to modify the existing tenures, or to trifle with the question by a grant of Parliamentary leases. If the great Irish difficulty, which has baffled so many generations, is to be solved at all in our time, it can only be by striking out a new path and boldly challenging the whole theory of private property in land. Let the Government be timely wise, and attack this system. They may not succeed next session or the next, but they will be supported by an ever-growing strength of opinion, and they will be opposed to forces long accustomed to defeat. And when the day of triumph comes, it will be found not only that the Irish difficulty has been solved, but that the foundation of a rational and equitable land settlement in our own country has been laid.



ART. V.—PROSTITUTION: GOVERNMENTAL EXPERIMENTS IN CONTROLLING IT.

1. *De la Prostitution dans la ville de Paris, considérée sous le rapport de l'hygiène publique, de la morale et de l'administration; ouvrage appuyé de documents statistiques puisés dans les archives de la Préfecture de police.* Par A. J. B. PARENT-DUCHATELET. Troisième édition, complétée par des documents nouveaux et des notes. Par MM. A. TREBUCHET et POIRAT-DUVAL; suivi d'un Précis Hygiénique, Statistique, et Administratif sur la Prostitution dans les principales villes de l'Europe. Avec cartes et Tableaux. 2 vols. Paris: 1857.
2. *De la Prostitution dans les grandes villes au dix-neuvième siècle et de l'extinction des Maladies Vénériennes; questions générales d'hygiène, de Moralité publique, et de légalité, mesures prophylactiques internationales, réformes à opérer dans le service sanitaire, discussion des règlements exécutés dans les principales villes de l'Europe. Ouvrage précédé de documents relatifs à la prostitution dans l'antiquité.* Par le Docteur J. JEANNEL. Paris: 1868.
3. *Prostitution, considered in its Moral, Social, and Sanitary Aspects, in London and other large cities and garrison towns. With proposals for the control and prevention of its attendant evils.* By WILLIAM ACTON, M.R.C.S. Second Edition. London: 1870.

4. *Report of the Sub-Committee of the Association for promoting the extension of "The Contagious Diseases Act" of 1866 to the civil population of the United Kingdom. With a List of its Members.* London : July, 1869.
5. "*The Remedy worse than the Disease :*" a Protest against legislative measures for the regulation (and tending to the encouragement) of Prostitution, as exemplified in the provisions and working of the "*Contagious Diseases Act, 1866.*" London : published for the Society for the Rescue of Young Women and Children.
6. *The Publications of "The National Anti-Contagious Diseases Act Extension Association"*—viz. (amongst others),
 - a. *A Letter to the Right Hon. W. E. Gladstone, upon the proposed further extension of the Contagious Diseases Act to the Civil Population.* By THOMAS WORTH, M.R.C.S.
 - b. *On the Cruelty and Injustice of the Contagious Diseases Act as applied to the Women of this Country,* being the First Part of Professor NEWMAN'S Pamphlet, entitled "*The Cure of the Great Social Evil.*"
 - c. *Observations on the Contagious Diseases Act, showing how the New Law debases Women, debauches Men, destroys the Liberty of the Subject, and tends to increase Disease ;* being a Reply to Mr. W. PAUL SWAIN'S Paper on the Working of the Act at Devonport, by C. B. TAYLOR, M.D.
 - d. *An Appeal to the People of England, on the Recognition and Superintendence of Prostitution by Governments.* By an English Mother.

THE methods adopted in different countries in order to prevent, or at least to lessen, the spread of the terrible disorders, whether moral or physical, incident to prostitution are of two kinds : one, and that which as a general rule was first practised, may be fitly described as the Policy of Repression ; the other, now extensively resorted to, and already recommended by the House of Lords to be applied gradually, and with "great caution," to the whole of the United Kingdom, is the Policy of Forcible Regulation. In some countries always, and in all countries at different times, the Policy of Indifference and *Laisser-faire* has prevailed ; but though each of these methods has been tried again and again, and has been again and again abandoned as futile, no country as yet has ever been tempted to make trial of the Policy of Justice and Common Sense. We purpose to review, and carefully examine in the light of experience,

each of the three plans which have been adopted; and after showing, as we shall be constrained to do, that they have always failed, and always must fail to accomplish the object in view, we shall explain what we mean by the Policy of Justice and Common Sense, which we believe to be alone capable of eradicating, or greatly lessening, the physical pest now insidiously destroying the health and vitality of mankind.

The Policy of Indifference and Laisser-faire has in the United Kingdom had a long, full, and fair trial. The experiment has, we believe, been made here far more continuously and completely than elsewhere. Among the causes which have contributed to this result two are especially prominent—Christian purism,* and the generally strong English feeling in favour of personal liberty. Any tendency to state recognition, toleration, and sanatory superintendence of prostitution, has been resolutely, and hitherto overpoweringly, resisted by the former; while the latter has not less sturdily and successfully withstood every effort of Christian purism itself to bring about by Government agency a forcible repression of all illicit commerce of the sexes. It has thus come to pass that in every part of these islands until 1864 prostitution was left on the one hand absolutely unrestrained and free from all Governmental control, and on the other hand being in its every aspect absolutely abhorrent to the feelings of all Christian “believers” and of most *soi-disant* “respectable people,” it has been left to welter in the foul diseases it engenders—no helping hand being extended to the worst of sufferers from it by even those whom Christian charity is ordinarily wont to stimulate to deeds of mercy, but who, when perforce encountering it, merely look on its attendant misery and hastily pass by on the other side. The Good Samaritan has been long waited for, and alas! is still waited for in vain.

The hospitals of the metropolis, ever open for the reception of sufferers from all other forms of disease, either absolutely refuse admittance to those afflicted with the diseases in question, or so nearly shut their doors against them, that only a very small proportion of the thousands who seek admission are allowed to enter. Such “cases are not admitted into St. George’s Hospital, nor into St. Mary’s, nor University College, nor many other of the London hospitals, as a rule.” Until a few months ago persons “with the venereal distemper” were not admitted, “except by special order of the House Committee,” into the London Hospital, which has no less than 450 beds, and “is located in a

* We use this word in no disrespectful sense, but simply because it expresses more accurately than any other word which occurs to us the sentiment we wish to designate.

poor and teeming neighbourhood much infested with venereal disease." Now 15 beds in this hospital are allotted to female venereal cases. The Middlesex Hospital allots only 8 beds to female and 12 to male patients of the kind in question; and though those three immense establishments—Guy's, St. Thomas's, and St. Bartholomew's hospitals—collectively devote about 200 beds to venereal patients of both sexes, it is computed that in the whole of London, with a population exceeding 3,000,000, there are "probably not much more than 150 beds in hospitals available for prostitutes, or poor women with contagious venereal diseases." The Royal Free Hospital used to devote 26 beds for female cases; but "the venereal wards have been for some time untenanted, owing to loss of funds occasioned by the outcry raised against this hospital in one of the medical journals." The workhouse infirmaries of London are in like manner so far closed against the patients in question that the whole of them together do not seem to devote "above three dozen beds to the reception of female venereal cases, but send off such applicants" to the hospitals "to struggle for admission with a host of unfortunate applicants, many of whom, being rejected, are forced to go on with their trade in order to live." It is true, we believe, that they are received and treated as "out-patients" at all the general hospitals; but some of the dispensaries refuse to give them help of any kind whatever. The Portland-town Free Dispensary and the Islington Dispensary thus keep themselves undefiled by any taint which might come of contact with "Magdalenism." The only institution in London specially devoted to the treatment of the venereal disease is the Lock Hospital, which, on the completion of wards now being erected, will contain 150 beds. The three general hospitals at Liverpool "take no notice of venereal disease." The South Staffordshire Hospital, the Hull General Infirmary, and the Dumfries General Hospital, and many others, are governed by the same purist spirit. After experience at Winchester had demonstrated that immense benefit was conferred on the town and neighbourhood by the allotment of a ward in the hospital there to venereal patients, that same spirit fought long and resolutely for their exclusion, and at length prevailed. The governors of the hospital at Colchester not only refuse to allow any beds in that hospital to be appropriated to such patients, but they absolutely declined the proposal of the Government to add a ward to the hospital for the treatment of such patients, even though the whole expense of establishing and maintaining the ward were defrayed out of the public purse. This attitude of the governors of provincial hospitals can scarcely be wondered at when we find, according to a report in the *Lancet*, that at the

Royal Medico-Chirurgical Society, one of the Council of the Royal College of Surgeons, Mr. Solly, said—"Far from considering syphilis an evil, he regarded it on the contrary as a blessing, and believed that it was inflicted by the Almighty to act as a restraint upon the indulgence of evil passions. Could the disease be exterminated, which he hoped it could not, fornication would ride rampant through the land." If men of Mr. Solly's culture and large professional experience as a surgeon to one of the chief London hospitals publicly advocate this marvellous doctrine, how can we expect the great mass of the "religious world" to do otherwise than simply turn aside from the thousands of human beings who, often without any fault of their own, are suffering and being destroyed by a disease with which they are stricken, as a beneficent punishment decreed by the "Almighty" himself? How shall they dare to contravene, or even question, His judgments?

Happily such interpretations of the "Divine intentions" are not unanimously accepted even in England, and in other lands wiser counsels already prevail: in France the most devoted Christians are exemplifying a nobler faith, shown in the fact that though the provincial members of that company of religious women, called *Sœurs de la Compassion*, still refuse their good offices in the hospital-wards appropriated to venereal patients, and though, as Duchatelet says, "il y a un bon nombre d'hôpitaux dans les départements circonvoisins où les vénériens ne sont point admis," twelve members of that same sisterhood have assumed the responsible administration and guardianship of the wards of the Hôpital de Lourcine, at Paris, which contains 276 beds, exclusively occupied by female patients suffering from the diseases alleged by Mr. Solly to be blessings vouchsafed by God himself. These devoted women exhibit a just appreciation of the real nature of Christian charity and Christian duty; and the noble sentiments animating them, while causing the place of their ministry to be hallowed by their presence, converts what would otherwise be loathsome tasks into deeds of mercy and compassion sanctified by their transformation. So soon as any large proportion of Englishwomen shall be animated by like sentiments, the Policy of Indifference, and *Laisser-faire* which we have described, will cease to be possible in England, and the inarticulate cry of their suffering sisters, sunk in the lowest depths of moral debasement and physical disease, will at length be heard and heeded, and will be answered with the zeal and effectiveness which a new-born sense of duty is sure to inspire.

Meanwhile that policy has had, as we have said, a full and fair trial, and in every respect it has been found wanting. In the number of the *Westminster Review* for last July we

described its effects on the civil population of this kingdom, and showed that those effects have been, and still are, most disastrous ; and, therefore, we need only intimate here what its effects have been on our soldiers. We have not space for any detailed exposition of those effects, and shall simply state the extent of them on our army during a single year—that of 1865, just before the first Contagious Diseases Act had come into any considerable operation. During that year, when the home army consisted of 73,000, there were 68,600 admissions to hospital ; and 20,600 of these admissions were on account of venereal disease. In presence of the facts we have described, the Policy of *Laissez-faire* is clearly convicted of destroying the national health to a very large extent, by allowing many thousands of persons of both sexes to suffer every year from a contagious disease, which cannot fail to produce a vast amount of misery, and at the same time to hasten a large number of its victims to a premature grave.

The Policy of Repression has been practised, or at least attempted, very extensively on the Continent, and is still pursued with unabated energy by the Holy Father within the Estates of the Church. The vigorous development and sturdy maintenance of individual liberty which have characterized English political life, have not shown themselves in equal force on the Continent, and therefore the strong resistance with which in England they have met the element of Christian purism, has not been possible abroad, where in various States political and ecclesiastical organisms, generally interested to sustain each other, and often playing into each other's hands, have been able to give full effect to the counsels of the latter. And while the belief that prostitution is an inseparable element of human society is avowed by almost every authoritative writer on the subject, nevertheless a strong, though it may be more or less latent, conviction to the contrary, seems to have been very widely spread, and to be so still in the Christian world ; for we cannot suppose that the several Governments which successively or simultaneously have striven to abolish prostitution by force, and with it the diseases incidental to it, would thus have striven had they assented to the doctrine that it is a necessary and inevitable part of our social system. It seems to us that every Christian whose belief in the doctrines of Christianity is not a dead petrification, merely encrusting his actual life, but is still a living power, is bound to repudiate and resist at all points the hopeless and deadening creed that prostitution will be perpetual. Logically he may perhaps find this task difficult in presence of Christ's saying—"The poor ye have always with ye," for he knows that

poverty and prostitution are very close allies ; but though many are called few are chosen to be logical ; and as a matter of fact a large section of the so-called "religious world" still battles with prostitution as a deadly sin, will give it no quarter, scouts with indignation the idea of "toleration," or of governmental recognition of it in any shape, and insists that it shall be sternly and rigorously put down. On the one hand we may see in Hawthorne's never to be forgotten "Scarlet Letter" in what spirit the most extremely democratic Christianity—Bible Puritanism—would still deal with it if it had the power ; and on the other hand while the most extremely despotic of Christian organizations—the Church of Rome, which has both the will and the power, exhibits in the Holy City itself a practical exemplification of what it believes ought to be the attitude of its members towards prostitution a prominent English apostle of that Church—the Right Rev. Charles Richard Alford, D.D., Bishop of Victoria—has recently shown in a charge delivered at Hong Kong, that had he the power as well as the will, the Repressive Policy would reign throughout his Colonial Diocese as it still does in the metropolis of Catholic Christendom. In this matter, the Councillor of the Royal College of Surgeons, Mr. Solly, and the Catholic Bishop of Victoria, Dr. Alford, go hand in hand. "In his wisdom and mercy towards fallen man, God has been pleased," the Bishop says, "to connect the commission of the sin [of fornication] as a natural result, with shame, disease, pain, and even death. There are many who would be guilty of the sin, could they with certainty escape the threatened penalty. They would crowd the harlots' houses could they hope to escape the lurking pestilence. Legislation steps forward" [meaning the Contagious Diseases Act, in full operation in his diocese] "and, instead of condemning *and suppressing* the vice, presumes rather to make the commission of a 'deadly sin' almost respectable. *It is a mistaken policy to prune the Upas tree. Dig it up and destroy it.* . . . Sin [*i.e.* fornication] is no necessity on the part of man in any clime, or under any circumstances. Sin need have 'dominion' over none of us, for we are 'under grace.' . . . This indeed is not 'theory,' but fact ; or Bible narrative and Church history, and Christian experience are but a delusion." We feel assured that the great body of men and women who assume this attitude in relation to prostitution, utterly disbelieve in its necessity ; and our assurance is strengthened by the reflection that Christianity, the religion which they profess, and which in respect to moral questions has moulded the thought of the modern world, does explicitly teach, as Bishop Alford shows, that fornication is sin—endangering the soul of the sinner. No wonder then that thoughtful earnest men suffused with the Christian faith, and

men induced by self-interest to pay hypocritical homage to that faith, should have striven, and should still strive to act out its dictates as they interpret them, even when it commands them to fight *à l'outrance* with an enemy at once omnipresent and seemingly indestructible. The battle has already been long and obstinate, and if the lessons of experience only are to be credited, the enemy does indeed seem invincible. Let us glance at the history of the Policy of Repression, and its results.

"At Rome and at Byzantium," says Duchatelet, "under the reign of Constantine, Theodosius I. & II., and Justinian, severe laws restraining public prostitution were promulgated. All these laws were prohibitory, the penalties being excessive, the fines exorbitant. No prosecution was attempted without the confiscation of the furniture, the clothes, and the house. The offenders were sentenced to be flogged, to be banished, to work in the mines, and even to death The Capitularies of Charlemagne present among us the first example of this excessive severity: imprisonment, flogging, exposure in the pillory, were the punishments inflicted on prostitutes, and those who harboured them; the latter were compelled to carry them on their backs to the market-place, in order that they might there receive the punishment to which their lodgers had been condemned." But the execution of these ordinances of Charlemagne seems to have been soon abandoned as impracticable or useless, for during the four following centuries brothels abounded everywhere, and the greatest immorality prevailed throughout all classes of society.

In December, 1254, St. Louis, after his return from the Holy Land, promulgated a decree that the public women should be expelled alike from the towns and from the country, and that whoever should knowingly let a house to such women should lose it. This decree was followed by another in 1256, confirming it, and prescribing additional measures of repression; and in June, 1269, the King renewed his prohibitions of 1254, in the following terms:—"Coeterum notoria et manifesta prostibula, quæ fidelem populum sua fœditate maculant, et plures protrahunt in perditionis interitum, penitus exterminari præcipimus tam in villis quam extra; et ab aliis flagitiis, et flagitiosis hominibus ac malefactoribus publicis, terram nostrum plenius expurgari."

"The rigorous execution of the ordinance against the prostitutes quickly proved to their author" says Duchatelet, "that he had only aggravated the disorder which he wished to remedy, and that the complete destruction of prostitution was an impracticable work." The prostitutes resorted to all kinds of evasions and deceptions: they abandoned their ordinary costumes and assumed those of respectable women, who themselves therefore

being often mistaken for prostitutes, were exposed to all sorts of insults from libertines. In a short time the evil became so great, that St. Louis felt it his duty to allow prostitutes to remain in the city and continue their occupation, but only in special places which were assigned to them. This tolerance of prostitution by St. Louis after he had made the most vigorous efforts to extirpate it, is a remarkable confession of failure; for the King had a strong will, and he is celebrated not only on account of his institutions and his sagacity, but still more on account of his piety, which caused the Church to place him among its saints. We are therefore justified in believing that, as became a pious and zealous son of the church, the powerful and despotic monarch did all that seemed to him possible to put down prostitution with a strong hand, and yet the failure of his attempt was total.

During nearly three centuries the repressive measures just mentioned remained in desuetude; but in 1560 there was a new attempt to enforce a rigorous system of prohibition. In that year an edict was issued at Orleans, commanding that all places of prostitution throughout the whole of France should be suppressed. In Paris the execution of this edict encountered great and prolonged resistance from the inhabitants of certain streets chiefly resorted to by prostitutes, but at the end of five years all "bad houses" in those streets were finally closed, after being freely resorted to by prostitutes during three centuries. In the narrative of this struggle it is admitted that though the authorities succeeded by their rigorous measures in destroying many *mauvais lieux*, yet in their place a multitude of secret establishments were formed, far more pernicious than those which had been destroyed. Nevertheless this policy of repression, intermixed, however, from time to time, with an increasing amount of toleration, was prolonged until nearly the end of the 18th century. The edict of 1560 was renewed in 1619, when the prostitutes were ordered to abandon their occupation (*de se mettre en condition*) within twenty-four hours, or to leave the city and faubourgs forthwith; and on the 16th March, 1687, another edict was issued, ordering that all the public women found in Versailles, or within a radius of two leagues, should have their ears cut off.

In the beginning of the 18th century the spirit of justice and common sense which the experience of the wise Louis IX. compelled him at length reluctantly to exemplify, but which in 1560 was wholly abandoned, again became dimly visible. By an ordinance of 1713 it was rendered impossible, in cases of *débauche publique et vie scandaleuse de filles ou de femmes* any longer "to exact fines, or to order the furniture belonging to such women to be thrown out on the pavement, or confiscated for the benefit of the poor of the general hospital," without first taking

depositions on oath from the neighbours as to the character of the women in question, and giving them an opportunity of being confronted with their accusers, and of denying the charges against them. If however the charges were proved, the offenders might not only suffer the confiscation of their goods and be expelled from their homes, but they were liable to a fine of from 200 to 500 livres, to have their hair cut off, to be imprisoned, to be flogged, and to be expelled from the town.

But as pointed out by Duchatelet, "the judicial forms and precautions prescribed by the declaration of 1713 were in reality established only in respect to those *domiciled* women or girls enjoying what were then called *des droits de bourgeoisie*, to whom were assimilated those who let their houses as places of debauch; and not for those prostitutes whose names were unknown, whose disorders were witnessed by all the loungers in the streets, who having neither hearth nor home passed incessantly from one place to another, and whose destitution equalled their abjection." There is no evidence to show that in the first half of the eighteenth century the police proceeded rigorously against this latter class of women, "otherwise than by sudden razzias or general seizure made in a quarter when they were in too great numbers, or when they caused any notable tumult or disorder. They were pursued as savage animals are pursued when they approach human dwellings in too great numbers. Many escaped; woe to those who let themselves be caught: they paid for their negligence by several months' imprisonment." How completely these successive repressive measures failed to accomplish the effects intended is well shown in the preamble to the ordinance issued by the celebrated Lieutenant of Police, Lenoir, in 1778. This preamble declares it "necessary to recall the ancient ordinances against *les filles et femmes de debauchee*, whose excesses and scandals are alike prejudicial to the public tranquillity and to the maintenance of morality; that libertinage is now carried to such a pitch that public girls and women, instead of concealing their infamous commerce, have the hardihood to show themselves in the daytime at their windows, where they make signs to the passers by in order to attract them, and to stand at their doors in the evening, and even to parade the streets, where they stop persons of all ranks and ages. Such disorders," continues the preamble, "can only be repressed by the severity of the punishments prescribed by the ancient laws;" and then follows a series of articles which, while seeming to re-enact and confirm those laws, contain however such a large measure of the spirit of toleration and regulation, that from the date of this celebrated ordinance, which indeed is still in force, the *régime* to which prostitutes in France are now submitted may be

said to have taken its rise. There is, however, one act (May 2, 1781) of the expiring policy of forcible repression, having reference to soldiers attacked with venereal disease, which is remarkable for its powerfully spasmodic reproduction of the old method, and which is as follows:—"His Majesty, judging that it becomes his justice, and even his goodness, to prevent the evils which the excess of libertinage may produce among the troops by the fear of punishment, wills that every soldier who shall have been treated three times for any venereal disease whatever, shall be condemned to serve two years beyond the term of his engagement."

The history of prostitution in Spain, in respect to the policy of repression, is wonderfully like that we have just glanced at, and teaches a similar lesson.* A decree of Recared, Catholic king of the Visigoths of Spain (586-601) absolutely prohibited prostitution. Girls and women born of free parents convicted of either practising prostitution, or inducing debauchery, were condemned for the first offence to be flogged (300 strokes) and to be ignominiously expelled from the town. If subsequently convicted, they were again flogged, and then submitted to a sort of transportation to a distance, and employed in servile and painful work, without the possibility of reappearing in the town. Parents favouring the prostitution of their daughters, and masters that of their slaves, were also severely punished. A female slave prostituting herself was sent back to her owner with her head shaven, with an injunction that she must be removed from the town, or sold to be employed in a place she would be unable to quit. Judges convicted of connivance or venality in trying cases of prostitution, received 100 lashes and paid a fine of 30 "sous"! This last fact is alone sufficient to prove how impossible it must have been to execute these Draconian ordinances, which with the domination of the Visigoths were put an end to by the invasion of the Arabs.

There are good reasons for believing that after the establishment of the numerous municipal governments in Spain during the middle ages, laws against prostitution like to those of the Visigoths, were frequently enacted; for the greater part of the municipal ordinances of the fifteenth century, which, most generally, only reproduce previous legislation, prohibit prostitution absolutely, and punish with severe penalties not only the women themselves, but all other persons concerned in promoting it.

* For the information here given concerning prostitution in Spain, we are indebted to the very elaborate and learned paper by Dr. J. M. Guardia, forming part of the second volume of the 3rd edition of Parent-Duchatelet's comprehensive work. We may add that Dr. Guardia is a zealous advocate of the system of government surveillance.

The ancient ordinances of Huesca, collected and printed at Madrid in 1641, make mention of a magistrate called *le Père des Orphelins*, whose chief function consisted in watching over the public morals, in suppressing all forms of licentiousness, and in enforcing the expulsion of all dissolute women from the town. The priors and municipal juries had the right to exercise a similar power. Even concubines were proceeded against and punished in the same way. Those who lived in this kind of "imperfect marriage" were liable to arbitrary punishments, which, excepting death, mutilation, and exile beyond two years, the magistrates were allowed to inflict. But these rigorous measures, while revealing the great and general licentiousness of those times, failed utterly to effect the object intended : as remedies they were worse than the disease to which they were applied ; for they actually augmented it, and while suppressing the most obvious symptoms, caused the disease itself to become more profoundly and more extensively rooted in the social system, and more incapable than ever of eradication. "Private debauchery succeeded to public licentiousness, and clandestine prostitution assumed immeasurable proportions. The public traffic of courtesans transformed itself into a shameful commerce, carried on by panders and the courtiers of corruption. This was the heyday and golden age of procurers and procuresses ; and the type of these ignoble beings figures in the greater part of the ancient songs, romances, and dramatic poetry." The Church was as inexorable as the law with respect to these execrable agents, and sometimes refused them reconciliation even when they were on the point of death. But no amount of either civil or ecclesiastical punishment proved of any avail. Neither infamy, nor perpetual banishment, nor confiscation, nor even the punishment of death itself, was able to stop the lucrative and shameful traffic in question ; and in 1469 a special ordinance of Henry IV., King of Castile, was launched against the men engaged in it, who, acting as procurers, associated themselves with the women, and were called ruffians : when any such were found, they were for the first offence to receive 100 lashes ; for the second they were to be banished for life ; for the third they were to be hung. That the effect produced by this ordinance was altogether slight and disappointing is proved by the fact, that in November 1552, a new one was issued by Charles V., doña Juana and the prince don Philip, entitled—"Augmentation of punishment for ruffians." This additional punishment consisted of public exposure, and working in the galleys for a definite time, or for life. This new law was confirmed in 1566 by Philip II. But though the energy with which the agents of debauchery were pursued, caused their number seemingly to diminish considerably towards the close of

the sixteenth century, they were in no sense really suppressed. They were merely transformed: the procuress underwent an insensible metamorphosis, and reappeared in the guise of the duena, when the corruption which she wrought was infinitely greater than before. "The duena was most frequently a kind of domestic procuress who, being duly paid, voluntarily favoured the weaknesses of the fragile virtue, the guardianship of which had been confided to her care." On the other hand, the "ruffian" became a groom, and engaged himself in the service of licentious women. Thus transformed, these agents of debauchery were the most zealous servants and supporters of clandestine prostitution in its most terrible form. The clergy did not escape the contagion of the prevailing licentiousness, but imitated the Moors in respect to sensual indulgence, including the practice of polygamy itself. The monasteries of both men and women were also infected by the general corruption; procuresses penetrated with equal facility the interiors of houses, and the retreats of cloisters; and the fact is only too well attested that the monks afforded them ample occupation. Neither the spirit of Roman legislation which was widely diffused over the Peninsula, nor the influence of Christianity, was able to arrest the disorder, though both attempted to restrain it. Its secret ravages were far more terrible than is even the scandal of public debauchery.

"When clandestine prostitution had made frightful progress, when vice left the brothel in order to glide stealthily into families, when corruption threatened to seize on all and become general, men began to comprehend that the system of absolute prohibition, and even severe repression of prostitution, had produced effects contrary to those which had been striven for, and that legislative measures on this subject had been dangerous rather than salutary and useful." The vast proportions which secret prostitution attained, the general demoralization it produced, and the utter failure of the system of repression, which had been long pursued with savage severity, produced a strong reaction: the evil which legislation had long struggled against in vain came to be recognised as necessary, or at least inevitable, and the belief was entertained that the wisest way to deal with it would be to tolerate and regulate it in order to circumscribe it, and to prevent its spread. Accordingly, as early as the last third of the fifteenth century, the policy of toleration was adopted, and was carried out with remarkable zeal and intelligence; public prostitution, organized and regulated under the direction of royal authority, was controlled by definite laws which, with slight modifications, continued in operation more than a century and a half, until they were abolished in 1623, by a decree of Philip IV. This decree

originated in the ascendancy of the clergy over the feeble monarch, who was still young, and whose conscience they found it easy to control and guide. The Jesuits had long been working with unrelenting rigour for the destruction of all tolerated houses of prostitution. Granada had been the chief centre of their operations. As early as 1610 they succeeded in effecting the closure of the principal one there during fête days and fast days, and during the whole of Lent. The two proprietors or conductors of this house, who enjoyed certain privileges accorded them by the municipal council of Granada, claimed compensation for the loss sustained by the closure of their establishment during these periods. The Jesuits had the archbishop on their side, and by his intervention Philip III. enabled them to triumph. Emboldened by this first success, they extended their attacks, determined to effect the suppression of the prostitution establishments throughout the whole of Spain: their persistent and powerful efforts at length prevailed, and the decree of Philip IV., already mentioned, was at once the decisive expression and the measure of their success.

But notwithstanding the great power, secret influence, and unwearying activity of the Jesuits, as well as their intimate knowledge of the private life of the citizens, they found it much easier to effect the issue and promulgation of the royal decree than to get it obeyed. The municipal life of Spain was especially vigorous, and offered strong resistance to the purist spirit animating the clergy; though the town council of Malaga yielded obedience at the moment when the dominant clergy, freshly armed with power by the King, were flushed with victory, and consequently, in 1623, ordered the prostitution houses (*mancebias*) to be suppressed,—yet by a subsequent decision of the same council, viz., in 1667, the chief *mancebia* was re-established. But the bishops at length prevailed, and the obstinate resistance of the municipal councils in the chief towns of the South of Spain was at length overcome by the archbishop and his subordinates; the *mancebias* were generally suppressed—that of Malaga, which had been rebuilt, being destroyed in 1680. The Hospital of St. Julien, and the Convent of St. Peter of Alcantara, were soon afterwards erected on the ground on which it stood. While the vigorous political, and all but independent local life represented by the councils of the numerous municipalities of Spain gradually declined, along with the greatness of the nation as a whole, the power of the clergy steadily increased: they took an increasingly active part in political and social affairs, and have constantly continued to exercise over the government an influence more or less direct, but always great and incontestable. At the end of the seventeenth century, common sense strove to

lessen the evils which Christian purism with its policy of repression had produced, and to meliorate the condition of the wretched women who for the crime of prostitution were suffering in the prisons of Madrid. But the purist party continued to maintain "order," and in 1704 the Council decided that the *Alcaldes* of the Court "should arrest and imprison *les femmes mondaines* who crowded the public promenades, and became a cause of scandal and disorder." The "order" thus maintained was only superficial, and while hiding to some extent from public view the gross sexual immorality which no governmental force has yet been able to suppress, the forcible application of the principle of purism did but intensify and diffuse through the innermost circles of social life, the subtle and poisonous influence of the secret agents of clandestine prostitution. As was inevitable, this violently repressive system provoked a reaction; and from the beginning of the eighteenth century until the end of 1865, when a system of surveillance was re-established,* all legal repression or even restraint of prostitution was practically abandoned throughout Spain, the policy of *Laissez-faire* being allowed to reign supreme.

During the century from the first outbreak of syphilis in Europe to the time when in Spain prostitution was placed under strict governmental surveillance, and again during the period of nearly 200 years from 1622, when Philip IV. decreed the suppression of prostitution throughout Spain, until the beginning of the eighteenth century, when the policy of repression was finally abandoned, no statistical statements of the extent of syphilis prevalent among Spanish prostitutes, were, so far as we know, even recorded. Indeed no reliable records were possible, for prostitution and prostitutes were officially ignored: women convicted of prostitution were imprisoned, and otherwise punished, and hence, from the very nature of the case, statistical information illustrative of the operation of the policy of repression in either increasing or decreasing the spread of syphilis is not obtainable. The records of the hospital of St. Jean de Dieu, founded at Madrid in 1552, and devoted to the treatment of venereal patients, may be able to throw some dim light on the subject, but it must be necessarily slight and partial, and for the object in question useless. The impressive and important moral derivable from the foregoing sketches of the action of the policy of Repression is, what indeed has already been several times pointed out, that that policy while yielding obedience to

* Dr. Jeannel gives, at page 272 of his work, a copy of the new regulations; but we have just been informed by a gentleman who has recently resided in Madrid, that he is confident no such regulations are in operation there now.

Christian purism, while hiding prostitution from public view, and punishing prostitutes for the "sins" which not only they, but the men who consort with them, commit, gives an incredibly powerful impulse to clandestine prostitution, conduces enormously to the seduction and degradation of women in almost every class of society, and in short originates and maintains an amount of moral disorganization far greater than is observable under any other régime to which the relation of the sexes has ever been subordinated in civilized communities. We shall hereafter show that of all causes operating to propagate syphilis, clandestine prostitution is at once the most potent, the most active, the most incontrollable, and the most difficult to eradicate ; and that at the same time the syphilitic affections of clandestine prostitutes, as well as of those whom they infect, are, as a rule, the gravest and the most virulent, and therefore requiring the longest time for their cure. If these statements be true, the conclusion is inevitable that the policy of Repression considered with respect to its intended effect on the moral and the physical life of the people has proved not only a total failure, but alike disastrous to both.

In Berlin a recent and very striking experiment has demonstrated most decisively the truth of the conclusion just expressed ; but before adverting to it we will glance at the history of the repressive policy previously exemplified in that city. In the middle ages the public women of Berlin, under the name of *demoiselles de la ville*, were tolerated, were confined to special streets and houses, were compelled to appear in a certain costume, and were in fact subject to regular surveillance ; but the Reformation produced a great revolution in the career of women practising prostitution.

"A religious rigorism began to strike what had hitherto been regarded with indulgence. Public opinion went so far even as to regard celibacy as a vice, and it was thought that by taking away every opportunity of debauchery, bachelors could be forced into marriage. A sort of proscription against prostitutes and dissolute women was organized ; and soon the town was almost wholly purged of them. The consequences of this puritanism, laudable no doubt," says Dr. Behrend, "from the purely moral point of view, but little accordant with existing conditions of social life, soon made themselves felt : the multiplicity of intentional abortions, of exposures of children, and of adulteries, forced even those who had professed the most austere principles to return to more moderate views ; not only was the ancient state of things re-established, but it was recognised that the number of prostitutes being insufficient for the population, it was necessary to have more."

After the ravages of syphilis had been experienced during the sixteenth and seventeenth centuries, a first attempt to arrest the progress of the plague by subjecting prostitution to legal surveillance

was made in 1700, with results which if space permits we shall afterwards describe. "In 1796 an effort was made to restrict the number of prostitutes; but, as always happens, clandestine prostitution notably increased, and venereal accidents became more frequent." Excepting this partial and temporary application of the policy of repression, the system of government toleration and regulation begun in 1700 was continued until the end of 1845. But several years before this date "the tolerated houses, gradually and under the influence of moral pressure, approached each other, and at length almost all of them came to occupy the same street. . . . In 1840 the proprietors of the neighbouring houses presented petitions requesting the suppression of these legalized brothels," and notwithstanding the protests and arguments of the police, the government in 1844 ordered their suppression, and the order was executed at the end of the following year, the girls being sent to their homes or to such other places as they chose beyond the Prussian territory. The result was an extreme development of secret prostitution, and of other forms of demoralization more odious even as well as more degrading and injurious, than prostitution itself. Moreover, as married women could practise secret prostitution with less chance of detection than single women could, numerous marriages were solemnized for the sole purpose of facilitating the practice of prostitution in safety! As might be expected, the proportion of illegitimate to legitimate births increased. But the most decisive proof of all, that in adopting the policy of repression the government had at once stultified itself, and had worked a great amount of evil, consists in the established fact that syphilis was propagated far more rapidly and more generally than before. Moreover the disease assumed a remarkably severe form, the length of time occupied by syphilitic patients in the hospitals being sensibly argumented. There is in Berlin a hospital, *la Charité*, for the special purpose of receiving and treating venereal patients. During the eight years from 1817 to 1845 inclusive, the average annual number of female patients received was 672; during the three years following the suppression of the brothels the average annual number received was 748, and the number increased each year as follows: in 1846 they were 627; in 1847 they were 761; and in 1848 they reached the large number of 835. During the two years before the suppression the number of men received at the hospital was 741 in 1844, and 711 in 1845. During the three years afterwards the numbers were as follows: 817 in 1846, 894 in 1847, and 979 in 1848. The average number of days each female patient remained in the hospital during the two years before the suppression was twenty-four days and a half; but during the three years afterwards the

average time rose to thirty-two days and two-thirds. The increased virulence of the disease is shown still more strikingly in its effects on the male patients. During the two years before the suppression the average length of time each man remained in the hospital was thirty-seven days and a half; during the three years after the suppression the average time was forty-nine days and a third. After the suppression the garrison of Berlin experienced a remarkable increase of venereal disease, and so great was the progress of the evil that General Wrangel, after becoming duly informed of the cause of its extension, implored the Minister of the Interior to re-establish the brothels. This was done in 1854, when a Commission of Public Morals was created, and a new and more complete code of regulations, to which the prostitutes of Berlin are now subject, was published.

We shall conclude this brief survey of the operation of the policy of repression by a sketch of its application and effects in the "Eternal City," which has the great advantage or misfortune of being governed both temporally and spiritually by the Pope himself.

Christianity as a whole, both in its earliest and latest developments, presents widely diverse aspects: the doctrines and practice of the Roman Catholic Church on the one hand, and English Puritanism on the other, are the two extremes between which are comprised a multitude of sects differing from each other on a variety of points which their members consider more or less vital to salvation. And those extremes are not wider apart than is the Christianity of Paul from that of Jesus. But great and numerous as are the differences in doctrine and practice, and even in Church government, which characterize the several component elements of the Christian world, its dual if not divergent founders, and every great section of it in the modern world, manifest one and the same sentiment, and inculcate doctrines either wholly or almost wholly identical, respecting the sexual function, the relation of the sexes, and the indulgence of sexual desire. Indeed, both the sentiment and the doctrine are far more ancient than Christianity itself, and are distinctly expressed in the old Hindoo Scriptures, which teach the essential antagonism of spirit and matter, and that spiritual perfection is only attainable by bodily mortification, and by the denial or annihilation of all corporeal desires. This doctrine was explicitly approved by Christ when he said approvingly—"And there be eunuchs that have made themselves eunuchs for the kingdom of heaven's sake," and implicitly by his life; and it was systematized by his greatest disciple and apostle, Paul, in the words—"I delight in the law of God after the inward man: but I see another law in my members warring against the

law in my mind, and bringing me into captivity to the law of sin which is in my members. To be carnally minded is death, to be spiritually minded is life and peace. Because the carnal mind is enmity against God. . . . If ye live after the flesh, ye shall die; but if ye through the spirit shall mortify the deeds of the body, ye shall live." Paul's ideal of human life involves thorough mortification of the sexual affections: celibacy, he teaches, is a higher state than that of marriage. Married men and women are filled with mundane cares, and anxious to please each other; whereas the unmarried care for the things of the Lord, and how they may please Him—the virgin being chiefly anxious "that she may be holy both in mind and body." Hence Paul, who was eminently logical, only countenanced marriage as a concession to human frailty, and in order to avert a greater evil.

The ideal of Paul is the ideal which the Fathers of the Roman Catholic Church have adopted and striven after, and in no other section of Christendom, since the breaking up of that Church by the Reformation, has the severe discipline in respect to the sexual function and the relation of the sexes which that ideal prescribes, been so earnestly inculcated and so rigorously practised as in the Church of Rome. The celibacy of its clergy, and its thousands of monasteries and convents dotted over the Christian world, attest at once its unflinching faith in that ideal, and its inexorable resolve, as well as its ardent desire, to mould the actual life of humanity in its likeness. How then could such a Church recognise and tolerate prostitution in any shape? Clearly, it could do no such thing; and accordingly, at Rome prostitution is legally ignored—there being no ordinances whatever for its regulation or control, or even for its repression. As a temporal sovereign the Holy Father renders homage to the doctrine of which he is the chief and the "infallible" representative, by resolutely refusing recognition of a social element which directly contravenes that doctrine, and the continuous existence of which is either a deplorable exposure of its fallacy and of the limitations of his power, or a crushing condemnation of the way in which that power has been wielded.

Alas, evil is not annihilated by our refusal to see it; and though prostitutes are legally unknown at Rome, they are none the less abundant in the Holy City. Just as because the Church declares marriage a sacrament and indissoluble, the people of Catholic countries have adopted the practice of divorcing themselves and remarrying under the name of concubinage to an extent unknown to the Protestant parts of Christendom; so, precisely because the Church legally ignores prostitution, it prevails in Rome, not merely among the lower classes, but in

almost all classes of society. And not only so, but the feeling of its "sinfulness" is so feeble, that a very slight temptation suffices to induce its practice. Rome, and indeed the whole of Italy, which has been almost equally dominated by the Roman Catholic creed and Papal influence, have long been notable for that peculiar form of sexual licence called *cicisbeism*, which has been justly defined as domestic prostitution *assise au chevet conjugal*, and tolerated by the husband. And though houses where prostitution is legally tolerated are unknown in Rome, places of meeting—called by the French *maisons de passe*—for the purposes of prostitution are numerous, and are, as has been remarked, "the secret laboratories where syphilis is perpetuated and intensified," and where inexperienced girls are allured for the purpose of seduction. Another class of houses—*lupanars mixtes*—combining somewhat of the character of the *maison de passe*, and the *maison tolérée*, where women assemble during the day only, exist in Rome, and are supplied not only by single girls, but also by a considerable number of married women. These establishments are conducted in obscurity, and of course the women who frequent them are submitted to no kind of sanitary surveillance. The police, learning sometimes of their existence, leave them nevertheless in some cases undisturbed when the inhabitants of the neighbourhood make no complaint, and when no scandal calls for repression. But the existence of these houses is often dependent on the caprice of the lowest police-officials, whose silence is duly paid for, while their repressive rigour may be confidently counted on by those who refuse to purchase their acquiescence. Those proprietors who are most disposed to defy the police and escape their recognition, move their establishments frequently from one house to another. Secret prostitution in Rome is also represented by three other classes of women. (1) Those who become the mistresses of strangers and of permanent residents in the city, and who, passing from one to another, are effective agents in the spread of syphilis; (2) those women who act as public prostitutes, but who live in private lodgings; and (3) a numerous and remarkable class of women who practise a sort of polyandry. "Each of them has her clients, her habitués, usually belonging to the same class of society, and their doors are closed against all who do not enjoy a right of entrance, or who have not been presented." This custom, not unknown in London, and adopted by a few women in Paris, is so extensively practised in Rome as almost to justify the remark that it forms a characteristic feature of the prostitution of the metropolis of Catholic Christendom. And the reason why it does so is very simple: this method affords an effectual defence against the police, who find it difficult

to allege any fair pretext for intruding into the dwellings of such women, and what is much more important, it acts, at the same time, as the best available shield against disease, which, developing and spreading most rapidly under the repressive system, causes the practice of promiscuous prostitution to be more dangerous in Rome than it is elsewhere.

We have said that prostitution pervades Roman society more generally, and that the consciousness of its "sinfulness" is more feeble than is the case in most other European cities. In fact, prostitution is less abhorrent to the feelings of the inhabitants, and therefore, in a certain sense, it is more respectable, or rather, less degrading in Rome than elsewhere; and the practical consequence is that women who resort to it, not finding themselves social outcasts, as prostitutes generally are, are less degraded in their own eyes, and rendered less abject by it than would be the case were they living under either the negative régime of *laissez-faire*, or the positive one of Governmental toleration and regulation.

Such being the state of feeling, it is not difficult to understand that what may be called domestic prostitution forms a large feature in the general licentiousness of Roman life. In the families of the lower classes "it is often practised under the parents' eyes almost as an avowable occupation: sometimes the mother introduces the visitor to her daughter, the young girl, who awaits her turn, conducting him to her adult sister, and the little brother lighting him up the staircase"! Moreover, in many cases of poor families in Rome, the capital of a country without activity, without industry, and without agriculture, the wife and mother ekes out the slender income by a commerce in which she sells herself, and though returning to her husband from the bed of promiscuous adultery, she is well received if she produces a good supply of money at the end of the week. "If the custom of having *cicisbeos* appears to have deserted the great and wealthy houses where they were maintained only by idleness and immorality, want has imported conventional habits of an almost similar kind into families of the middle class, and especially into those of the lower strata of this class. Women belonging to this caste engage in a commerce, which properly speaking is a kind of prostitution, in frequenting *les maisons de passe*. Moreover, there are procuresses, who send both to strangers and to inhabitants of the city the women whom they have noted and pointed out to those agents. The cause of the demoralization of this class consists less in libidinous instincts or absolute penury than in the factitious wants which the passion for outward luxury and display, so intense in the people of southern Europe, has created among the little proprietors,

the nobility without patrimony, and those dependent on salaries for their means of subsistence, who, anxious before all things to maintain what they call their rank, are led into expenses beyond the legitimate income of the family. Among the people it is poverty, and in some cases also to a certain degree, incredible as it may seem, the passion for a hired carriage in order to drive along the Corso on Sunday, which in Rome engenders prostitution. A carriage and pair is to Roman ladies an imperative necessity, and the dignity of those of the upper classes will not even tolerate a one-horse carriage, which the French call a *demi-fortune*. This passion for a carriage, which is often gratified only by submitting to the most meagre fare, the Milanese characterise by a striking proverb rendered into French as follows: *les Romains traînent leurs voitures avec leur boyaux*; and it may be added with truth that they yoke their honour to them as well. Nevertheless these very women, who prostitute themselves for finery or for a carriage, are "most frequently," it is said, "good mothers of families," and men who have an intimate knowledge of Roman manners declare confidently that "the sale of their charms does not at all exclude a great attachment and even a real love for their husbands."

It may be objected that the extreme and wide-spread profligacy characteristic of Roman society is due less to the operation of the policy of repression than to the stimulating influence of the warm Italian climate; but we find similar developments of extreme sexual demoralization associated with the prevalence of the policy of repression in cities to which this objection cannot apply. The Government which placed its people under the stifling power of the Concordat was not likely to do other than copy the Roman model in respect to its dealing with prostitution; and accordingly, in Vienna, "allurement (*Auzucht*) as a profession, pimping, and fraud in allurement, are forbidden by the laws of March 27th, 1852," and, of course, "no registry of prostitutes is kept." Mr. Wild in his work on the institutions of Austria says:—"Public brothels are not tolerated by the police, and public women are sent into the houses of correction . . . All persons considered of an improper character, when found in the streets after a certain hour, are conducted to the police office." But "though it has been stated that, owing to the present condition of morality, such persons *are not required* in Austria, yet *the lowest calculation* allows the number of public females in the capital to be 15,000," while the total population is 546,000, or less than a fifth of that of London! In that same city of legalized Christian purism, the number of illegitimate children is only just exceeded by that of the legitimate: for every five of the former there are only six of the latter. Again, in the large

Viennese hospitals, there are 600 beds occupied by syphilitic patients—200 by males and 400 by females. If provision were made in London for syphilitic patients on a scale proportionate to that existing in Vienna, we should have *between three and four thousand beds* for that class of patients in the British metropolis alone!

But still more striking evidence that it is the character of the law, and not that of the climate, which engenders the widespread profligacy prevalent in Rome is presented in the effects of the operation of a like law at Stockholm: "There are no houses of prostitution there, and the city would be scandalized at the idea of allowing such a thing. A few years ago two were established, and the fact was no sooner known than a virtuous mob arose and violently pulled them down."

"And yet," says Mr. Bayard Taylor,* "Stockholm has been called the most licentious city in Europe, and, I have no doubt, with the most perfect justice. Vienna may surpass it in the amount of conjugal infidelity, but certainly not in general incontinence. Very nearly half the registered births are illegitimate, to say nothing of the illegitimate children born *in wedlock*. Of the servant-girls, shop-girls, and seamstresses in the city, it is very safe to say that scarcely ten out of a hundred are chaste; while, as rakish young Swedes have coolly informed me, many girls of respectable parentage, belonging to the middle class, are not much better. The men, of course, are much worse than the women; and even in Paris one sees fewer physical signs of excessive debauchery. Here the number of broken down young men, and blear-eyed, hoary sinners, is astonishing. I have never been in any place where licentiousness was so open and avowed, and yet where the slang of a sham morality was so prevalent. . . . At the restaurants, young blades order their dinners of the female waiters with an arm around their waists, while the old men place their hands unblushingly upon their bosoms. . . . One does not wonder when he is told of young men who have passed safely through the ordeals of Berlin and Paris, and have come at last to Stockholm to be ruined."

Returning to Rome, we can adduce no statistical information concerning the extent and virulence of syphilis in that city; but all the knowledge we possess on the subject leads only to one conclusion, viz., that the disease is widely spread, that its development is peculiarly rapid and intense, and that what are called "tertiary" forms of the malady manifest themselves much oftener than in France—that is to say, in about two-thirds of the cases. Such is the conclusion of Dr. Jacquot (to whose paper on prostitution we are indebted for the foregoing informa-

* In his "Northern Travels," quoted by Mr. Acton.

tion on the subject), and it is fully confirmed by the writer of a letter on Roman prostitution, which appeared in the *Medical Times and Gazette* of the 27th of July, 1861. He says:—

“A progressive spreading of syphilis from Rome in a centrifugal direction to the neighbouring places has occurred, and the small towns in our proximity, such as Tivoli, Frascati, Albano, and others, which a number of years ago were very slightly tainted with venereal disease, are now considerably affected by it; and the once celebrated beauty of their men and women, which was formerly of a truly magnificent character, is fast disappearing.”*

The foregoing review of the several forms of prostitution in Rome demonstrates beyond the possibility of dispute that the experiment of forcibly repressing or prohibiting prostitution, which has been tried long and persistently by the Papal Government, is in every respect a complete failure; and thus attests, along with the like experiments made in Spain, in Austria, in Bavaria, in Paris, in Berlin, and in Stockholm, the utter futility of applying the method of treatment hitherto applied, and seemingly dictated, by the principle of Christian purism, as a remedy for the social evil in question, and, therefore, as a means of preventing or of extirpating the diseases associated with and propagated by it.

This conclusion, legitimately and inevitably arrived at, should surely make earnest Christians of every section of Christendom pause and consider the momentous questions which it necessarily suggests. Is prostitution, after all, notwithstanding the teachings of Jesus and Paul, and the long-cherished belief of the Christian world in the righteousness of what we have called Christian purism, an indispensable part of every considerable aggregation of human beings? And if so, then what shall we say of Christianity, which, with an alleged supernatural sanction, teaches an exactly opposite doctrine? And again, even apart from this last grave question, if prostitution, as well as the poor, must be always with us, what becomes of the faith of those believers in the glorious destiny of man who tell us, with the fullest assurance of the coming reality, that the march of civilization, and the development, melioration, and ennoblement of humanity will never cease until their ideal of human life, now inconceivably far off, shall be actually realized on earth? We shall leave these questions to be pondered, and, if possible, answered, by each reader for himself. We have already expressed our distinct and assured belief that prostitution is not a

* The whole of the letter from which this passage is extracted, has been copied by Mr. Acton into the second edition of his work on “Prostitution.”

necessarily inherent part of the social life of human beings : in the face of the mournful array of discouraging experiences we have now set forth, we do not hesitate to repeat our affirmation of that belief ; and, though it is no part of our present task to justify it, yet if the fitting time and opportunity for our doing so should come, we shall be prepared to show that our faith does not repose on mere sentimental enthusiasm, but that it is firmly built up of solid reasoning on the indestructible basis of established biological facts. Meanwhile we suggest to Christian writers and Christian statesmen to consider whether the repressive policy which has been pursued in respect to prostitution by different Christian states, and by none so resolutely and so inexorably as by the Church of Rome, is really and truly Christian. We are fully aware, as indeed we have shown, that the policy in question has been pursued in faithful obedience to the dictates of Christian doctrine as hitherto interpreted by all the churches ; but it seems to us that in this matter, as in many others of great vital concern, men have heeded the form rather than the essence, the letter rather than the spirit. In our opinion the most precious part of Christianity—the permanent element that will live when much of it now deemed essential will be seen to have been transient only, and to have passed away—is precisely that part which was in the world before Christ appeared, but which became organized in Him as a subtle living force, capable of transforming the minds of men into its own likeness with a power and effectiveness which the world never witnessed before His advent. That force was not physical, but psychical : it was the force of attraction, of Love. The policy of repression works by physical force—the force of repulsion, the force made use of by those Jews who dragged into the presence of Christ the woman taken in adultery, asking Him to pronounce her condemnation ; but, displaying the infinitely nobler and infinitely greater power of love, He wrote on the ground, “Let him who is without sin cast the first stone.” If Christians will humbly meditate on this lesson which Christ taught, not by a set form of words which might be misinterpreted, but by the unmistakeable example of His own life—if they will conscientiously compare His treatment of fallen woman with their own, they will perhaps discover that in no so-called Christian state has their treatment of her been verily Christian. Men steeped in sin themselves have dared to stone her, and have hypocritically cloaked their own sensuality in the outward garb of punishing the being whom they alone have brought to shame.

They have made her the scape-goat of their brutishness—of their animal passions unhallowed by affection, and have paraded their own self-righteousness by driving her into the

wilderness of social outlawry, moral degradation, and physical disease. Her sisters who would fain have rescued her, they have virtually forbidden to interfere, for they have taught them, not that they would by doing so learn more of men's conduct than men feel it desirable they should know, but that by even touching her they would morally contaminate themselves, and would thus, themselves become unworthy, and no longer find favour in men's eyes. This cruel and unmitigated selfishness is sanctioned and intensified by the monstrous doctrine that syphilis is sent by God himself as a punishment for the "sin" of fornication, and therefore, that to extend a helping hand to the social outcast suffering from that disease is to oppose the execution of a divine decree. If men were not blinded by selfishness or spiritual pride they would see that this presumptuous interpretation of the divine intentions is falsified by experience, that though calling themselves Christians they have not even apprehended the essential nature of the Christian spirit, and of course in their dealings with harlotry have in no sense applied it. When seeking to lessen and put an end to the disease associated with prostitution, they have thoroughly tried the redeeming power of that force which Christ personally exemplified—and have found it fail, then, but not until then, will they be justified in saying that the principle—"Do unto others as you would they should do unto you," is of no avail; that prostitution is really an unavoidable part of every considerable aggregation of human beings; and that in respect to it, the teachings of Christianity and the day-dreams of philanthropic idealists are alike confuted by the crushing logic of facts attested by the experience of all ages and nations.

Recognition and Regulation.—Having reviewed the prolonged experiments of *Laisser-faire* and of *Repression*, and having demonstrated that while the one has at all events facilitated the spread of venereal diseases, and has contributed in no way to impede the march of that physical degeneration which syphilis originates, the other, instead of preventing, has powerfully conduced to their propagation, we now proceed to examine the method and results of those positive efforts which have hitherto been made to control prostitution, and to extirpate or at least to lessen the extent and violence of the diseases associated with it. These efforts are a practical repudiation of the doctrine which has dictated the policy of repression; they are in fact the fruit of convictions which are wholly alien to Christian ideas concerning sexual morality, and which becoming dominant exclude those ideas from all share in influencing, restraining, or lessening those sexual aberrations by which venereal diseases are increased and diffused.

We have already mentioned the fact that in the 13th century prostitution was tolerated in Paris by St. Louis after he had tried in vain to suppress it; but though it was tolerated, there is no evidence that it was subject to any governmental superintendence, beyond that which consisted in constraining the women to continue their occupation only in certain localities which were assigned to them, and in causing the places they occupied to be open only in the daytime. They were closed at 6 P.M. "because it was found that many women who were not prostitutes [*beaucoup de femmes non publiques*] went there by night in order that they might not be recognised." This statement is peculiarly interesting and instructive; for it shows that on the first occasion when prostitution became tolerated and regulated in Paris, clandestine prostitution, that uncontrollable evil, in the shape of "*beaucoup de femmes non publiques*" immediately presented itself as an embarrassing complication of the disorder already submitted to treatment.

The toleration accorded by St. Louis, and modified from time to time, was continued during three centuries. Its main objects were to confine the practice of prostitution within certain specified localities, and to compel prostitutes to wear a distinct and characteristic costume. It was thought that by a system of moral quarantine—restricting prostitution to definite places—this social plague which could not be cured, would thus give the least possible offence to "respectable people," whose religious beliefs and conventional observances, its very existence contravened; and that by compelling the women to wear dresses fashioned and ornamented according to a legally prescribed type, a clear line of demarcation between them and their respectable sisters could be drawn, a line which by publicly denoting all who were prostitutes, might punish them with this outward brand of social degradation, and might constitute a strong barrier against the licentious tendencies of those women inclined to harlotry if only they might practise it in secret.

St. Louis' attempt to confine the public women in special places assigned to them, and which were entirely separated from private houses, was, it seems, speedily thwarted, for in 1367 a new ordinance was issued, again assigning certain streets to the prostitutes who had spread themselves throughout all parts of the capital, and who were ordered to restrict themselves to the streets in question—the penalty of disobedience being corporal punishment. But as Duchatelet justly observes,—“An utter ignorance of the character and spirit of insubordination of prostitutes is evinced by those who believe that they can be restrained by such simple expedients. In the fourteenth century they were in this respect what they are to-day. As in full daylight they [Vol. XCIII. No. CLXXXIII.]—NEW SERIES, Vol. XXXVII. No. I. L

transgressed the limits assigned to them, and committed publicly all sorts of disorders, an ordinance of the police of March 17th, 1374, prescribed their retirement from 6 P.M. within the streets which had been assigned to them by the ordinance of 1367." In 1419 it was again found necessary to insist on compliance with the previous ordinances. In 1424, Henry, of England, "the usurper," in answer to the complaints of the parishioners of St. Méry, ordered "*les femmes et filles de joie*" to quit the streets surrounding the church—a further proof of the futility of the previous decrees. It is worthy of notice that Henry's ordinance was vigorously opposed by the canons of that church.

This policy of restricting the women to certain neighbourhoods seems to have been general in Europe before the terrible and extensive development of syphilis at the end of the fifteenth century. Johanna I., Queen of Naples and Countess of Provence, ordered, in 1347, all the prostitutes of Avignon to be "confined in a place destined for them"—the "place of public debauch," which was established near the convent of the Augustin Friars. Women once placed in *le lieu public* were forbidden to go from it into the town. Those disobeying this order were flogged for the first offence, and for the second were flogged and banished. The establishment was guarded by a porter, who by the Queen's order kept the gate locked, in order that no man might enter without permission of the "Abbess," or "baillive" (female bailiff), who was elected "every year by the consuls." The Christianity which consisted in observing the fast and feast days appointed by the Church, and in hatred of the Jews, was duly practised in this establishment; two of the sections of the Queen's interesting ordinance are as follows:—"6. The Abbess shall absolutely permit no man to enter the house on Good Friday, Easter-eve, or Easter-day, under penalty of being flogged and imprisoned." "9. The Abbess shall permit no Jew to enter the house; if it shall happen that one of them being introduced in secret *et par finesse*, commits fornication with one of the girls, he shall be imprisoned in order to be afterwards flogged through all the squares of the town."

We may add, that the following ordinance of Queen Johanna, if really issued by her, is, we believe, one of the very earliest providing for the careful sanitary superintendence of prostitutes: "4. The Queen wills that every Saturday the Abbess and a surgeon appointed by the Consuls, shall visit all the women and girls of the place of debauch, and that if they find some one who has contracted disease proceeding from libidinousness, she shall be separated from the others, in order that she may not abandon herself and infect youth with the disorder." (The fact that this regulation bears the early date of 1347 excites such

surprise as to render its authenticity suspicious; and indeed Dr. P. Yvaren, in the notes to his translation into French of the poem of Fracastor, has shown that researches made at Avignon tend to prove that the statutes of which this regulation is a part are apocryphal.)

A special establishment of the same kind existed at Toulouse, authorized by Charles VI. in 1389, and protected by Charles VII., who made a law expressly for the re-establishment and regulation of the house, his motive for doing so being a petition from the good citizens of Toulouse. They complained that certain "mauvais sujets" had rendered the establishment all but inaccessible by the disturbances which they created; and that consequently the revenue which the city authorities had formerly derived from the women in this brothel ("hospitium commune"), as well as from all the men who visited it, and which was spent for the benefit of the town, was no longer yielded. His Majesty listened to the prayer of the petitioners, and set their house in order (it was alleged to be town property) as they requested. In like manner the inhabitants and consul of Narbonne exercised their right to have *une rue chaude*, or a place set apart for prostitution. In Berlin also, during the middle ages, a similar system was adopted; the women were restricted to certain special streets and houses. The first *maison de joie* concerning which information has been preserved dates as far back as the fifteenth century; it was privileged by the commune, to which it was a source of revenue.

The most extensive, systematic, and complete probably of all these institutions were the so-called *mancebias*, which began to be organized in Spain during the second half of the fifteenth century, and certainly before the discovery of America and the final expulsion of the Moors. Municipal ordinances published some years after the conquest, prove decisively that the organization of public prostitution dated far back, and was general in Andalusia; *mancebias* already existed not only in the two capitals of Arabian Spain, but also in many other less important cities, such as Malaga, Loja, Ronda, Alhama, and Marbella. After the taking of Malaga in 1487, the Catholic Kings presented as a valuable property, the *mancebias* in the above-named cities to Alonzo Yanez Fajardo, chief of the table of the palace, and afterwards increased the value of the present by adding to it the *mancebias* of the cities subsequently conquered, six of which are mentioned. This fortunate favourite was also authorized to found similar establishments in different parts of the realm "without any authority being able to prevent him from freely using this singular privilege, or to impede the exercise of his rights." As in Toulouse, Narbonne, and Berlin, the women of these establish-

ments paid for the privilege of carrying on their profession in them. This system of organized prostitution was soon extended to the towns of the south of Spain as well as to those along the coasts of the two seas from Valencia to Cadiz and the frontiers of Portugal. In some towns of Andalusia these establishments were in defined localities and special edifices, and in most cases were outside the walls of the town. There was, however, after the concession to Fajardo, a notable one containing 100 women, at Malaga, within the walls of the town. In place of it, and on the same ground a church, as already mentioned, was afterwards built.

It was usual for each *mancebia* to be administered by a man who was called the Father of the House ; and in a collection of the Ordinances of Granada, published in 1752, there is a section which was enacted in 1539, entitled,—*Ordenanza del Padre de la mancebia*. Usually it was only by consent of the municipality that he could open such an establishment : if he was judged a suitable person to undertake it the charge of it was confided to him, and he submitted to certain conditions making him dependent on, and responsible to, the municipal authorities, so that he was under continuous and immediate surveillance. And indeed the women were especially protected by those authorities, numerous and careful stipulations being exacted on their behalf. The Father of the *mancebia* of Salamanca was appointed by the Consistory (!), and before this clerical assembly he swore to observe the ordinances relating to the *mancebia*. The office of Father must have been very lucrative and much sought after ; for in 1751 a special article was added to the ordinances of Salamanca authorizing Don Juan Arias, proprietor of the *mancebia*, to proceed to the nomination of a Father by public auction, subject to the approbation of the Consistory. Moreover, the sanitary regulations which were enforced in the sixteenth century, and which were chiefly copied from those of the Council of Granada, after approval and publication by order of Charles V., enjoined a careful medical examination of every woman when first entering the establishment, and at other times when considered necessary. A surgeon appointed by the town council visited the women of the *mancebia* of Salamanca every week. The medical fees were as a rule paid out of the funds of the several municipalities.

These *mancebias* were very remarkable institutions, and totally unlike any existing establishments for the purpose of prostitution. A Frenchman, Antoine de Lalang, lord of Montigny, who went to Spain in 1501, visited the *mancebia* of Valencia, and has left an interesting and curious picture of the place, which was quite a colony of itself. Like the one at

Avignon it had only one entrance, which was guarded by a porter. It comprised three or four streets full of little houses inhabited by the prostitutes, who were richly dressed and who were two or three hundred in number. We may add that in accordance with ancient usage "the clergy exacted their tithe of the revenues derived from debauchery itself. The Church did not care to forget its old privileges, and the clergy lost nothing by the foundation of these singular convents."

Let us now review the effects of the efforts above described to restrict prostitution within certain prescribed localities, and to subject it to definite regulations. We have seen that in Paris, from the time of St. Louis' inauguration of the system of toleration until the latter part of the fifteenth century, the plan which he and his successors adopted of confining the prostitutes to one locality was again and again defeated, so that the attempt to carry it out issued in nothing more than a prolonged series of battles between the police and the prostitutes, causing the latter no doubt a great deal of harassing discomfort, privation, and suffering—for the law afforded them no protection against the ruthless tyranny and often shameful oppressiveness of their official enemies, but contributing in no degree either to exercise a salutary check on prostitution itself, or to guard the morals of the Parisians by preventing them from coming in contact with it in all parts of the city. The women constantly passed the bounds assigned to them, and clandestine prostitution baffled every effort of the police to suppress it.

When at the end of the fifteenth century syphilis in the form of a wide spread and terrible pestilence afflicted Europe, the members of the Parliament of Paris were so filled with dread that they seem to have lost their senses. A proclamation was issued in 1496 or 1497 ordering that all persons both male and female in Paris who were not permanent inhabitants, and who were attacked with the disease, should leave the city and go to their homes within 24 hours; that all inhabitants of the city attacked with the disease who had the power of retiring into their houses, should do so within 24 hours, and should not go out again either by day or night; that those who had not should apply to certain authorities who would provide for their seclusion; that no one suffering from the disease should be allowed to converse or communicate with others in the town, &c., &c. These and several other prohibitions in the proclamation were attempted to be enforced by the threat of heavy punishments, but failing of their intended effect, the Prefect of Paris issued an ordinance June 25, 1498, substantially repeating them, and again accompanied with threats of severe punishment for disregarding them. These repressive measures, and others having reference to the terrible

disease which now became associated with prostitution, superseded the old regulations relating to the control of it as a safeguard of public morals, and at length by a royal edict, in 1560, as before stated, the system of toleration was put an end to, and all the places of prostitution throughout France were ordered to be suppressed. What were the indirect effects of the establishment and surveillance of the places of prostitution in Toulouse, Avignon, Narbonne, and other French towns, we have no evidence to show, but as in all cases in which we do know the facts, those effects have been uniform, there can be no doubt that in the towns in question the system adopted powerfully conduced to intensify and perpetuate the degradation of the women subject to it, and at the same time to develop and extend the various forms of secret prostitution. That this was the case in Berlin is proved by the statement that while the city authorities protected the women who were under surveillance, and who contributed to the communal revenue, they pursued clandestine prostitution with relentless rigour, regardless of the position of the women implicated.

"The bath-houses introduced in Berlin by the Crusaders, and which at the period in question were numerous, were often the object of investigation by the authorities. They were the rendezvous of libertines of the rich and the higher classes, and of women of questionable repute, who there indulged in debauchery. From time to time women, until then reputed respectable, were arrested there; and being proved, or indeed even suspected to be given to prostitution, they were punished and banished from the town. . . . Concubinage was also looked upon as common prostitution, and was absolutely prohibited. A law declared that persons living together without being united by the bonds of the Church, should be expelled from Berlin."*

In Spain, after the establishment of the *mancebias*, reasons of public policy, the interests of the communes who derived a revenue from those establishments, and of the *Padre* of each—who was a man exercising considerable influence, all concurred to cause secret prostitution to be hunted out and exterminated with the utmost possible vigour. "The Ordinances of Seville declare in express terms that public women alone may frequent the houses of prostitution. This measure of exclusion proves sufficiently, if facts did not demonstrate with certainty, that after the organization of public prostitution there still existed particular houses where clandestine prostitution continued to be exercised. In fact it has been proved that there existed *maisons*

* Dr. F. J. Behrend's work, "Die Prostitution in Berlin," has supplied the editors of Duchatelet's volumes with the materials for their account of it; and we have availed ourselves of their abstract.

de rendez-vous, called *monasteries* (!), where licentious women met together. The mistress of the place (*mayorala*) took the title of Abbess, and received remuneration from the frequenters of her convent. These secret houses were the rendez-vous of married women and young girls. They were the '*Succursales*' (Chapels of Ease!) of concealed debauchery, and the most secure refuge of the procuress." We may add that they were so numerous that it was judged necessary to ordain special punishments both for those who kept and those who supported them. "Every girl or married woman surprised in one of these suspected places paid a tolerably heavy fine, and received 2 lashes *in public*. The 'Abbess' received 50 lashes for the first offence; 100 for the second; if convicted a third time her nose was slit, and, thus mutilated, she was ignominiously expelled from the town. The clandestine houses themselves were confiscated and sold by public auction."

We have already mentioned that one of the chief features of the ancient regulations for the control of prostitution consisted in enforcing the use of particular kinds of dresses and ornaments, constituting a brand of social infamy by which prostitutes might be distinguished from other women. It was foolishly imagined that the necessity of adopting such a distinctive mark would deter many "respectable" women from the borders of temptation, that women transgressing those borders without that mark would be at once detected, and that making scape-goats of prostitutes by compelling them to wear it was at once inflicting on them a just punishment, and contributing in some mystical way to the righteousness of the general community. In the regulations said to have been issued at Avignon in 1347 by Queen Johanna, she orders "that, in order to be known, prostitutes shall wear an *aiguillette* (an epaulette, shoulder-knot, or cord fastened round the arm); and that if any girl who has already committed a fault wishes to continue her evil course of life, the porter (*porte-clefs, ou capitaine des sergents*) having taken her by the shoulder, shall lead her through the town to the sound of the drum with the *red aiguillette* on the shoulder, and shall establish her at home, (*à domicile*) in the public place of debauch." In 1360 the courtesans of Paris were forbidden to wear certain specified articles, including jewels and rich dresses; in 1420 this prohibition was renewed; in 1389 Charles VI. authorized the *filles de joie* of Toulouse to dress themselves as they pleased on condition that they should wear round one of their arms a garter or band of a colour different from that of the dress itself; and in 1424 Charles VII. taking "*la maison de Toulouse sous sa protection*," confirmed this questionable privilege. In 1426 a new decree of the Paris parliament

prohibited prostitutes from wearing robes and other distinctions which the daughters of the nobility had the sole right to make use of at that period. The distinctive costume prescribed by the police has in fact been different at different times. During the reign of Henri IV. it consisted of a gilt plate affixed to the sash ; and hence the popular French proverb : *A good name is worth more than a golden girdle*. The old regulations of the Berlin authorities also enjoined the adoption of a particular costume. The ordinances of Seville, ordered to be collected in 1502, and published in 1526, contain the following regulation : "All concubines generally, and those of priests especially, women of suspected or scandalous morals, shall not be allowed to wear long (*trainants*) dresses, veils, or any ornaments which honest women wear." The same prohibition was extended to "public women *qui courent le monde*." The Code of Alphonso the Wise had already prescribed a headdress of saffron colour for prostitutes as a striking mark of their profession ; but this sign having been considered insufficient, it was ordained that they should wear on their heads a brilliant tuft of feathers under penalty of confiscation of their clothes and a fine of 50 *maravédís*. They were also forbidden, under the same penalties, to wear gold ornaments, pearls, silk dresses, and to attire themselves in the style of ladies of the higher classes. . . . Moreover women given to gallantry (*de mœurs galantes*) were forbidden to show themselves in public coaches, in carriages or in litters, or when in the churches to make use of cushions or squares of carpet. The costume prescribed for the women of the *mancebia* of Salamanca was a yellow mantle over the skirt. Those who dressed themselves otherwise were liable to a fine of 300 *maravédís*, and the confiscation of their clothes.

"Of all the regulations relative to prostitutes," as observed by Duchatelet, "those which concerned their dress, and ornaments, and those distinctive marks which they were ordered to wear, have, apparently, been more rigorously carried out than any of the others. There exists in the registries of the Chamber of Accounts (Paris) a curious inventory of a sale which took place in 1427, of all the objects which had been seized at the homes of the prostitutes who had contravened the sumptuary law which related to them. The list enumerates silk robes, jewels, sashes, gold and silver studs, furs, &c. Everything seems to show that this sumptuary law continued a long time in vigour, for there were similar sales in 1746, in 1754, in 1758, in 1760, in 1761, in 1762, and 1764." And yet how futile have been all these efforts, how fruitless of good all the deprivation, irritation, and suffering which they produced ! The frequency with which the ordinances concerning the dress and ornaments of the women

were renewed and confirmed, proves conclusively that those ordinances could not be executed, and that though great efforts were made to enforce them they became virtually a dead letter very soon after each occasion of their re-enactment. That this result was not due to the neglect of the police, who were sure to be baffled in attempting to fulfil the disagreeable duty imposed upon them, is abundantly attested by the frequency of the sales above-mentioned. The real cause lay in the inherent impossibility of compelling obedience to ordinances which directly contravened some of the strongest feelings and instincts which animate woman, whatever may be her occupation and social position. Hence, while the mere attempt to enforce these ordinances, together with those restricting the women to certain localities in Berlin, in Paris, and in the chief towns of Spain was always baffled, it nevertheless gave an enormous impetus to secret prostitution, and produced effects of a kind like to those which are observable in Rome, and only less terrible because the repressive force employed was less, and less constantly operative than that which prevails in the "Eternal City."

The history of prostitution in Spain teaches the same lesson. Notwithstanding the rigorous enactments prescribing special kinds of dress and ornaments to be worn by the Spanish prostitutes, they acted in open defiance of them; many of the women wore long trains, and the extravagance of their attire became so "immoderate and contagious" as to cause the enactment of new sumptuary laws by Philip II., especially directed "against public women and women living in concubinage." He prohibited them from assuming, as they were fond of doing, the style of dress adopted by women belonging to the different religious orders; he forbade *les femmes galantes* to have grooms, either in their service or in their suite, because in Spain, at an earlier period, these men succeeded to the functions of the professional procurers, and in relation to such women still continued to fulfil those functions, if not with the same *éclat*, at least with equal success. He also forbade them to carry cushions or carpets to the churches; confirmed all the prohibitions already described; and, in short, did the utmost that physical force could do to brand prostitution as infamous and to prevent its spread. But even all the power of that powerful despot availed nothing in presence of the army of women against whose dearly cherished habits and extravagances it was employed. And Philip III., repeating the attempts of his predecessor, experienced a like defeat. Indeed, while the personal interests of the "Fathers" of the *mancebias*, the corporate interests of the municipal councils, and the royal authority itself, all co-operating to the same end, were unable to restrict the practice of prostitution to the institutions in which

they strove to confine it, the very efforts which they made conduced so powerfully to the development and spread of secret harlotry that it attained an enormous magnitude; and, being very lucrative, it brought in its train its usual accompaniments—an inordinate love of dress, and habits of excessive luxury and extravagance. These proving a contagious example, became a fresh incitement to many previously “virtuous” women to “go and do likewise;” and at length “the law, powerless to compress the disorder, passed rapidly from severity to rigour. The attempt was no longer made to repress the scandals of prostitution, but it was resolved to attack the evil at its root by adopting extreme measures against prostitution itself.” Hence the Edict of Philip IV. in 1623, already mentioned, by which in Spain prostitution was legally abolished, in the hope that with it the abuses connected with it would be abolished also.

The regulations we have passed in review were, as we have seen, mainly intended to achieve two objects—viz., the restriction of the practice of prostitution to special localities, and the systematic adoption by prostitutes of a legally prescribed costume. Though these regulations violated the feelings of the women far less than do those now in force on the Continent, they were, as it appears, always and successfully resisted. How much greater then may be expected to be the resistance likely to be offered to the enforcement of regulations which are not merely more repulsive and more odious, but which are regarded by those who are forcibly submitted to them with positive horror?

Since the ancient regulations were framed, that contagious disease which first compelled general attention at the end of the fifteenth century, has diffused its baneful influence so widely that whereas their chief object was the repression of moral and social disorders, the regulations now enforced on the Continent, and in certain parts of the United Kingdom, are mainly intended to arrest or lessen the spread of syphilis, and to submit those prostitutes who are found diseased to medical treatment. The most characteristic features of the regulations which are now rigorously enforced in Paris, Berlin, Brussels, and several other Continental towns, are essentially the same; we shall therefore content ourselves with giving a brief account of the system now in operation at Paris.

An office called *Le Bureau des Mœurs* is charged with the administration of the regulations concerning prostitution. Connected with this office is a body of police called the “Service of repression,” or the “Active Service,” comprising twenty-four inspectors under the direction of three superior officers. This service is exclusively charged with the duty of watching over the

houses of prostitution in Paris and the suburbs, and with that of searching for women practising prostitution secretly (*prostituées insoumises*), and for those who aid in promoting clandestine prostitution. The repression of disorders caused by prostitution in the public thoroughfares is undertaken by *les inspecteurs d'arrondissement* in all parts of Paris at the same time. In this duty "the active service" rarely takes part.

The sanitary department connected with the *bureau*, which in 1828 was organized as it now exists, superintends the health of the women, and for this purpose employs a surgical staff consisting of ten superior and ten assistant surgeons. The function of these gentlemen is to examine medically all the prostitutes subject to surveillance. Each examination involves an instrumental inspection of the internal reproductive organs. A considerable number of the women are examined, immediately after being arrested, at the *depôt* of the prefecture, which answers to a first-class police station in England. All women found diseased are immediately sent to the St. Lazare Hospital, and are there detained for treatment. When they are cured, they are allowed, subject to the conditions hereafter mentioned, to resume their occupation.

All prostitutes subject to the police and sanitary regulations, and who have attained the age of sixteen, are registered at the *Bureau des Mœurs*. Those living in the houses of prostitution are called *filles des maisons*, and are subjected to medical inspection weekly at the houses where they live; those occupying apartments furnished by themselves, and those who have permission of the police to live in furnished lodgings, are called *filles à carte* or *isolées*, and are obliged to present themselves at the dispensary every fifteen days for medical inspection. Each of these women has a *carte* which she carries with her, which is signed and dated by the surgeon each time he inspects her, and which therefore is a sort of "bill of health." On the back of the card are printed the following regulations, to which she is ordered to conform.

"Public women, *en carte*, are called upon to present themselves at the dispensary for examination, once at least every fifteen days.

"They are called upon to exhibit their card on every request of police officers and agents.

"They are forbidden to allure for the purpose of debauchery during daylight, or to walk in the thoroughfares until at least half an hour after the public lamps are lighted, or at any season of the year before seven o'clock, or after eleven P.M.

"They must be simply and decently clad, so as not to attract attention by the richness, striking colours, or extravagant fashion of their dress.

"Ornamental dressing of the hair is forbidden (*La coiffure en cheveux leur est interdite.*)

"They are strictly forbidden to address men accompanied by females or children, or to address loud or anxious solicitations to any person.

"They may not, under any pretext whatever, exhibit themselves at their windows, which must be kept constantly closed and provided with curtains.

"They are strictly forbidden to take up a station on the foot pavement, to form, or walk together, in groups, or to and fro in a narrow space, or to allow themselves to be attended or followed by men.

"The neighbourhood of churches and chapels, within a radius of twenty-five yards, the arcades, the gardens and approaches of the Palais Royal, of the Tuileries, and of the Luxembourg, and the Jardin des Plantes, are interdicted.

"The Champs Elysées, the Terrace of the Invalides, the exterior of the Boulevards, the quays, the bridges, and the more unfrequented and obscure localities are alike forbidden.

"They are especially forbidden to frequent public establishments or private houses where clandestine prostitution might be facilitated, or to attend *tables-d'hôte*, reside in boarding-houses, or exercise their calling beyond the quarter of the town they reside in.

"They are likewise strictly prohibited from sharing lodgings with a kept woman, or other girls, or to reside in furnished lodgings at all without a permit.

"Public women must abstain when at home from anything which can give ground for complaints by their neighbours, or the passers-by.

"Those who may infringe the above regulations, resist the agents of authority, or give false names or addresses, will incur penalties proportioned to the gravity of the case."

Notwithstanding the rigorous character of these regulations they have, as the French police are well aware, no legal force or justification. Still, when they have been appealed against the Courts of Law have on several occasions supported the police in enforcing them. The ordinance of Lenoir issued in 1778, already referred to, was openly set at defiance very soon after its promulgation, and was virtually abolished by the Revolution, which soon followed. The Code Napoléon contains no article prescribing regulations to which prostitutes, as such, are to be subjected, and none authorizing the police to interfere with them. The only existing law touching on the subject, is one passed in July, 1791; but this has reference to those persons who act as agents for the promotion of debauchery, and the prostitution of youth, and not at all to prostitutes themselves. And as Duchâtelet acknowledges,—“the administration is conscious that it is in a false position, and that it is incumbent on it to act with redoubled care and attention for all which concerns individual liberty, the severity of the measures which it adopts, and the graduation of the punishments which it imposes.” It will be

observed that the cautious language of the last paragraph of the regulations at the back of the *carte* with which each *fille à carte* is provided is in strict accordance with the fact that the administration is conscious of being "in a false position."

It seems to us, that any one studying those regulations will be prepared to expect that the women who are subjected to them will resist and evade them by every means in their power. Whether well or ill, they are compelled to submit themselves at the ever-recurring periods prescribed, to an examination, which in a large proportion of cases is at once so distressing and repulsive that, as stated by the great advocate of the system, Duchâtelet himself, many women only "approach the dispensary with a kind of horror."

Next in repulsiveness to the regulation just mentioned, appears to us the one prohibiting *la fille à carte* to attend a *table d'hôte*, or to reside in a boarding-house, and scarcely less tyrannical is the one forbidding her "from sharing lodgings with a kept woman, or other girl." How far prostitutes are likely to fashion their dress according to an ordinance of the police we have seen already, and having also seen how long and resolutely they have resisted the many attempts which have been made to restrict them to certain parts of Paris, we shall easily understand their feelings and resolves in respect to the regulations forbidding them access to many of the most frequented promenades, the Jardin des Plantes included. That they would be sure to struggle to the utmost of their power to escape these hateful regulations might be confidently predicted; that they do so to an extent which renders those regulations worse than nugatory is proveable by a crowd of well-established facts, some of which we proceed to adduce.

The prostitutes who endeavour to elude the police consist of those who are practising clandestine prostitution, and whom the police have not yet been able to apprehend, and also of those who, having already been registered, refuse compliance with the regulations. The women of both these classes the police are continuously in search of, and are desirous of detecting them in any acts of allurement or otherwise, which may be alleged as a sufficient justification for their arrest. Every possible artifice is resorted to by the girls, as well as by those who abet them in their occupation, to baffle their pursuers. They frequently change their names; the most common weapons of the weak and oppressed—lying and equivocation, are made free use of. There is a class of women adepts in artifice and cunning—*les marcheuses*—who may be fitly called walking lies, and who are created by the system which they labour to defeat. These women fulfil several functions, among them that of the Duena. "They give

the arm to the youngest and most beautiful girls, and adroitly offer them to the passers-by while parading in the neighbourhood. *The more the police are severe and exacting the more these women acquire importance ;* and hence, as has been observed, their number rapidly increases. If public women are forbidden to appear on a part of the Boulevards, or on any other frequented promenade, they are sure to be found there again the next day arm in arm with a *marcheuse*, and making themselves remarkable by their composed and modest exterior." The lower classes of prostitutes have their own special methods of concealment, *e.g.*, women who follow regiments of soldiers about to be garrisoned in Paris, work one or two days a week with washerwomen, or in factories. Duchatelet says that at a certain house there was considerable disorder, which the police frequently attempted to suppress, but the girls who were there always managed to disappear immediately they perceived that they were "wanted ;" on one occasion the police of the "active service," seconded by the public force, surrounded the house in order to prevent all escape outwardly, but their plan failed. Eventually, however, the girls were found, *en chemise*, squatting in holes made for them in different parts of the garden, the holes being masked by planks, branches of trees, bottles of straw, etc. Girls under 16 years of age, or minors, are an especially sore trouble to the authorities. These girls take care to avoid the recognised houses of prostitution, where members of the "active service" would quickly pounce upon them ; but they resort to secret houses, the occupants of which have a thousand ways of concealing the nature of their business, and of protecting themselves against the investigations of the police. Under the title of milliner, dressmaker, or sempstress, licensed women receive these young libertines, prostitute them in retired places, or send them under some pretence or other, with a hand-box in the hand, for example, to those from whom they have received orders for them. One of the strongest motives of secret prostitution is the desire to conceal from the police "young girls scarcely emerged from tender infancy, and who for this same reason are sold at a high price to those perverted beings who seek them. Bearing in mind the severity of our laws," says Duchatelet, "against those who abuse a girl who has not yet arrived at the age of discretion, and the severe punishment inflicted on those who promote this premature debauchery, the reader will easily understand that secrecy, being equally essential to all concerned, the difficulty of bringing the crime home to them, and making it sufficiently evident to justify the expectation of a conviction before a tribunal becomes almost insurmountable," and hence, as Duchatelet justly com-

plains, "these young creatures are the greatest destroyers of morality and public health." Again, referring to the two classes of women called respectively, *Femmes galantes*, and *Femmes à parties*, the same author says, "no one will deny that these women are veritable prostitutes: they practise the profession; they propagate more than all others grave diseases and precocious infirmities; they destroy both wealth and health, and may be considered as the most dangerous beings which society contains. Nevertheless, the police cannot seize them and treat them as prostitutes: all of them have houses; they pay taxes; they conform outwardly to all the rules of decency; they enjoy all their political rights; it is impossible to refuse giving them credit for the discretion and circumspection which is ascribed to respectable single women; and consequently, they escape not only from the police but from all sanitary control."

Indeed every conceivable species of *ruse* and deception is practised in order to carry on clandestine prostitution without detection. The following facts observed in the course of a single year strikingly confirm the truth of this remark. Two women assumed the title of *sages-femmes*, established themselves in different parts of Paris, and, pretending to have in their houses women occupying apartments while being confined, managed under this disguise to continue their lucrative agency of secret prostitution. The price of the young victims furnished by one of them, was 500 francs. Another woman called herself a tooth-drawer (*arracheuse de dents*), and boasted of her power of taking away the most atrocious pains as if by enchantment. She was always asked for only by her professional name, and the young victims, as well as "the amateurs," never went to her house without having the jaw bandaged, and without giving indubitable signs of suffering. An old woman, assuming the guise of a charitable lady, led by the hand two or three little girls modestly dressed, and who by their easy manners, their grace, and their gentility, interested all who saw them. Under the pretext of obtaining assistance for them, this wretch took them to private hotels, and particularly to those inhabited by rich Englishmen whose inclinations she knew. She concealed her game so well that she was respected by all who saw her. Two other of these creatures pretended to keep a registry office for domestic servants of both sexes. The applicants on arriving were told that the young girls whom they met there were *femmes de chambre*, who, not being able to go to their places until after the lapse of a few days, were staying meanwhile at the houses of these women. The mistress of a *maison tolérée*, when retiring, opened a Restaurant in which was a *table d'hôte*, and where only

certain *habitués* were admitted ; in this way she concealed what was in reality nothing but a place of prostitution—of the existence of which no one had the faintest suspicion.

“ But it is most especially by obtaining licences to carry on businesses of various kinds, or by simply assuming the title of hosier, dressmaker, milliner, washerwoman, &c., that the majority of women who promote clandestine prostitution escape the surveillance of the police. Many do not receive men at their houses, but under one pretext or another send the young girls to the residences of those who request them. . . . With few exceptions the dealers in articles for the toilette are all skilful procuresses, and clandestine prostitution has no other brokers more active. . . . It cannot be too often repeated that at the present time it is not in the *maisons tolérées* that young girls are ruined, but in the *maisons clandestines* where they are drawn by artifice and by violence : it is there that they are seduced, prepared and fashioned for libertinage and prostitution.”

The great object which the French officials concerned in the attempted control of prostitution desire above all things to achieve, is to increase the number of recognised houses of prostitution and to restrict the practice of prostitution to those houses ; but the achievement of this is precisely what the prostitutes most resolutely resist. In an instructive chapter on “ Prostitution carried on in certain furnished houses ” (or apartments), Duchatelet has given the history of the often-repeated, and always defeated, attempts of the police to prevent prostitutes from dwelling in such private houses. All the reasons which concur to make “ respectable ” women love freedom and independence animate prostitutes also ; moreover, these reasons are in their case, powerfully reinforced by causes which concern them exclusively. The hatred which they feel for the keepers of the tolerated houses ; the possibility, when they are in private lodgings, of withdrawing themselves if ill from the examination and surveillance of the administration ; the hope, encouraged by those who are well, of escaping more easily the punishment to which they render themselves liable in not submitting themselves to the detested medical inspections ; the possibility of choosing or refusing the men who approach them ; and the especial protection which they receive from their landlords or landladies, who often give them credit for their lodgings, for their food, and sometimes even for their clothing, are all additional and most cogent reasons, urging the women to prefer infinitely to live in what are called *maisons garnies*, notwithstanding the exorbitant prices which they have to pay, rather than submit themselves to the selfish domination of the *dames des maisons tolérées* and the systematic surveillance of the police and medical officers, from which in these houses there is no possibility of escape. To illustrate the utter futility of the

efforts made by the police to force prostitutes to become inmates of the *maisons tolérées*, we will mention two or three striking facts. After several attempts had been made in vain to clear the *maisons garnies* of prostitutes, prior to 1823, the police at that date made a desperate effort, the effect of which was considerable: it caused the ruin of many lodging-house keepers and seriously distressed a very large number. An energetic petition was got up by them, claiming the right to let their rooms to *demoiselles*, and in a short time all the excitement which had been caused having subsided, "the force of things rendered the zeal of the police useless;" and the *maisons garnies* continued to be occupied as before. In 1828 a new Prefect, enthusiastic in the cause of order, forbade prostitutes to enter the Palais-Royal or to walk the streets; his prohibitions were, to a great extent, complied with, and, emboldened by his success, he revived Art. 5 of the ordinance issued by Lenoir in 1778. This article, which distinctly forbids hotel and lodging-house keepers to let rooms to prostitutes, and threatens to fine offenders 500 *livres*, "was rigorously executed: and the consequence was that all the girls whose landladies could not conceal them, or who themselves could not disguise their real character, being expelled from the houses, remained in the streets, and were obliged to request shelter from the *corps-de-garde* if they had not already been conducted there by the patrols who picked them up in their rounds beneath the porches, or upon the steps of the public edifices." After the police had thus completely stultified themselves by first compelling the prostitutes to absent themselves from the streets, and then by adopting measures which forced them into the streets again, the execution of the offensive ordinance was ordered to be suspended during a month, in order as it was said to give time for the women to place themselves in *maisons tolérées*. It was understood that at the end of the month the expulsive process was to be resumed—not this time suddenly, but gradually, a beginning being made with the most disreputable houses. As a matter of fact, however, it is abundantly evident that nothing was really done; for in the following year the newly-appointed prefect tried to meet the difficulty by offering the proprietors of the *maisons garnies* habitually occupied by prostitutes the alternative of either refusing to receive them, or of turning their establishments into *maisons tolérées*. But this attempt also failed, and as Duchatelet observes, a review of the experience which the police have met with enforces the conviction of the "uselessness of all the measures taken by the administration in order to prevent prostitutes from inhabiting *les maisons garnies*, and from prostituting themselves there just as in the *maisons tolérées*." He adds,—“It seems to be demonstrated that the

[Vol. XCIII. No. CLXXXIII.]—NEW SERIES, Vol. XXXVII. No. I. M

maisons garnies appropriated to the accommodation of prostitutes are as *inevitable* in a city like Paris as are prostitutes themselves." In fact so great is the reluctance of the girls to enter the tolerated houses that many keepers of them being unable any longer to find girls willing to enter them, and seeing their houses empty, have had no other alternative than to ask permission to let them as *maisons garnies*.

In face of the fact that the population of Paris has more than doubled during the last 50 years the following statistical statement, showing an actual and even great decline in the number of *maisons tolérées* has a significance which it is difficult to overstate. According to Duchatelet, and the supplementary information supplied by his editors, the numbers of these houses in Paris and its suburbs have been as follows :—

Years	1842.	1847.	1852.	1854.
Houses in Paris	193	177	152	140
Houses in the suburbs . . .	36	53	65	64
Total	229	230	217	204

Monsieur Lecour, the present Chief of the *Bureau des Mœurs*, gives the following numbers for Paris and its suburbs together :— From 1840 to 1845, 233 ; from 1851 to 1855, 212 ; and in 1867, only 165. In 1857 there were 1976 girls in the *maisons tolérées* ; but in 1867 there were only 1302.

The facts revealed by the register which is kept of all prostitutes under surveillance in Paris are still more striking proofs of the truth of the argument we are insisting on. This register has been regularly kept ever since 1812 ; but we will advert only to the numbers of prostitutes on the register during the 22 years ending in 1867. From 1845 to 1849 inclusive the average number was 4171 ; from 1850 to 1854, 4304 ; but in 1867, the number had fallen to 3853. In 1820, when the population of Paris was 713,766, the number of registered prostitutes was 2746 : the present population of Paris is 1,825,000, and if the number of registered prostitutes increased in proportion to the population, there would be now about 7000, instead of the actual number 3850 prostitutes on the Paris Register.

Moreover, the large number of the women who are continually disappearing from the surveillance of the police, whose names are therefore erased from the Register, and many of whom are again captured and registered, again to fight for their liberty until they again escape and disappear, is another among the many proofs how useless, hopeless, and senseless, is the struggle in which those members of the police, called the "Active Service," are continually engaged.

Number of Prostitutes erased from the Register from 1845 to 1854 inclusive.

		Years.										
		1845.	1846.	1847.	1848.	1849.	1850.	1851.	1852.	1853.	1854.	
Disappeared with Passports	. . .	303	361	303	276	297	328	304	281	261	263	
Ceased to attend Dispensary	.. ..	312	316	329	695	531	457	464	434	375	363
Total	... ..	615	677	632	1171	828	785	768	715	636	626
<hr/>												
Women re-established under control after their names had been erased from the Register.	<div><div>On account of disappearance with passports.</div><div>On account of ceasing to attend Dispensary ...</div></div>	170	183	205	143	147	190	172	150	132	138	
		225	165	191	289	308	295	238	266	245	223	
Total	... ..	395	348	396	432	457	405	410	416	377	361

The total number of those who disappeared during the ten years in question was 7453, or 745 yearly; while the total number re-established under control, during the same period, was only 4087, or 409 yearly; so that, during the same period, 3366, or 336 yearly, escaped entirely and permanently from all police and sanitary control. Thus, it appears, that of the whole number of prostitutes under control, about a fifth part escape temporarily, and a twelfth part permanently, from the hateful surveillance of the police, and the still more hateful, because enforced, instrumental examinations by the medical officers of the Dispensary.

And after all these efforts and struggles, all the vexations of spirit and misery they involve, all the privations and sufferings of the refractory in the prison of St. Lazare, especially appropriated for the punishment of prostitutes, the despotic and irresponsible French police cannot succeed in getting even as many as a seventh part of the whole of the prostitutes of Paris under their control, and, therefore, under sanitary supervision! The total number of these, according to the estimate of M. Lecour—head of the *Bureau des Mœurs*, and therefore an especially trustworthy authority, for he has peculiar facilities for learning the facts—is not less than 30,000, and of these less than 4000 are registered and subject to sanitary surveillance. We now proceed to examine what is the influence of this surveillance of the small fraction, one-seventh, of the whole prostitute population in lessening or increasing the amount of syphilis in Paris.

In Paris the treatment of venereal diseases is mainly restricted to three hospitals. One forms part of the *maison de Saint-Lazare*, which is under the administration of the prefecture of police, and which contains about 1300 prostitutes, divided into three sections: the first consists of prisoners whose cases have not yet been adjudicated, or who have already been con-

demned ; the second consists of patients in hospital who may be not only prisoners because they are diseased, but also because they have committed some punishable offence ; the third consists of young girls imprisoned, either conformably to articles 66 and 67 of the penal code, or by request of their parents. It thus appears that something like a fourth part of all the registered women in Paris are confined in *la maison de Saint-Lazare* ! Usually the number of venereal patients in the hospital of this establishment is about 200. There is also a hospital—*l'hôpital de Lourcine*—set apart for the reception of female venereal patients who are not recognised prostitutes. Many, however, are clandestine prostitutes ; and some are respectable married women, often mothers of families—victims of the misconduct of their husbands. There is also here a considerable number of mothers suckling their infected children, and of very young girls notable by their precocious and extreme depravity. This hospital contains 276 beds, the occupants of which are nursed, as already stated, by twelve sisters belonging to the order *De la Compassion*, and a number of assistants. There is also a hospital—*l'hôpital du Midi*—devoted exclusively for the reception of male venereal patients. This contains 336 beds. The total number of beds in these three hospitals is therefore 812. But this number, large as it is, is very far from representing the total number of beds which in Paris hospitals are habitually occupied by venereal patients. Notwithstanding that the rules interdict them, a considerable number, especially of women, succeed in obtaining admission and treatment in the ordinary hospitals. These admissions almost always take place, without the permission of the authorities, as cases of urgency—that is to say, at the hospital itself, either by the medical men at their consultations, or by the *internes*, in the course of the day. As the presence of these patients constitutes an exception to, and even an infraction of the rules, the papers which authorize their admission do not indicate the real nature of the disease, for a true indication would be a ground of refusal of admission on the part of the directors. Usually the disease named in the paper is *fever* : by the aid of this designation every patient may be admitted without difficulty, and without awakening the attention of the administration.

The motives which determine these irregular admissions are of various kinds. The medical men insist, more or less, on treating in their "*services*" all kinds of diseases. They are often solicited to do so by those of their *internes*, who not being about to pass through *les hôpitaux du Midi et de Lourcine*, have a thoroughly legitimate desire to be initiated in the hospitals to which they are attached, in the treatment of syphilitic affections in order to complete as far as possible their medical education

The patients, almost always of the female sex, are not difficult to find. They are chiefly recruited among the numerous young girls known under the name of *grisettes*, who voluntarily consult the *internes* because from them these girls receive gratuitous and disinterested care; or among those who habitually form a part of the *ménage de garçon* of the students of law and medicine. The patients of whom we speak very much prefer the ordinary hospitals because there they enjoy more liberty, are visited by their friends and acquaintances, and are the objects of especial care and attention. Confounded without distinction with all the other patients, they can dissimulate the nature of their disease in the eyes of persons outside the hospital, and thus escape the moral blot resulting from a residence more or less prolonged in the *Lourcine*, the entrance to which is more strictly guarded, and the rules of which are much more severe. The *St. Louis* hospital always contains a considerable number of venereal patents, and in the municipal *Maison de Santé*, the relative number of this class of patients is also large. Recognising the impossibility of obtaining reliable data on which to base a calculation of the number of venereal patients in the general hospitals of Paris, because the registers of those hospitals do not designate the disease by its true name, Duchatelet has, nevertheless, attempted to form an approximate estimate of the number of such patients, and he says: "I believe myself justified in affirming that about a fifth of the total number of venereal patients are treated in hospitals other than the *Lourcine* and the *Midí*. It thus appears that the total number of beds occupied by venereal patients in the special and general hospitals of Paris is altogether fully 1000, and this, notwithstanding the elaborate, costly, and tyrannical machinery of sanitary surveillance we have described, which is worked under the most favourable circumstances, and with the whole force of a despotic government at its back !

But this is not all : though during the ten years, ending with 1854, the number of patients treated in the *Lourcine* Hospital was, for some reason we cannot explain, 2338 less than during the previous decennial period, yet during the five years from 1851 to 1855 inclusive, there has been a steady increase in the annual number of patients treated at that hospital. And during the same five years the increase in the annual number of male patients treated at the *Midí* Hospital is still more remarkable. The actual numbers of the patients admitted during this period into the two hospitals are as follows :

Years.	Lourcine.	Midi.
1851	1,102	3,019
1852	1,114	3,367
1853	1,274	3,660
1854	1,358	3,425
1855	1,384	3,632

In no one of the previous ten years did the number of admissions to the Midi reach even 3000. (We greatly regret being unable to give the number of admissions to these two hospitals from 1855 up to the present time.)

Moreover, if the number of days during which the patient remains in hospital is a test of the severity of the disease (and it is usually regarded as being so), we are entitled to conclude that, during recent years, syphilis in Paris has not become less but more severe. The following is a statistical statement of actual experience in this matter :

Periods.	Length of Stay in Hospital.	
	Men. Days.	Women. Days.
1835 to 1844	32·23	47·29
1845 to 1855	33·46	57·20

These figures prove that each male patient remained about a day and a quarter, and each female patient about *ten days*, longer during the last than during the first of these two periods.

The following table exhibits the relative amounts of disease in the three classes of prostitutes who are registered, and in those of the lowest class of the unregistered who have been captured by the police. .

Average Annual Proportion of Syphilis among Registered and Unregistered Prostitutes in Paris and its Suburbs.

Year.	Registered Prostitutes living in Brothels within the Walls.	Ditto in the Suburbs.	Ditto in Private Lodgings (Maisons garnies).	Unregistered Prostitutes.
1845	1 in 142	1 in 59	1 in 261·42	1 in 6·40
1846	1 in 151·72	1 in 53·17	1 in 183	1 in 6·37
1847	1 in 154·33	1 in 51·94	1 in 350·68	1 in 6·46
1848	1 in 125·74	1 in 37·41	1 in 181·78	1 in 5·66
1849	1 in 128·26	1 in 44·34	1 in 200·56	1 in 5·76
1850	1 in 148	1 in 47	1 in 142	1 in 5·31
1851	1 in 198·75	1 in 60	1 in 180	1 in 5·47
1852	1 in 184·41	1 in 75·83	1 in 349·33	1 in 5·64
1853	1 in 183·33	1 in 122·75	1 in 402	1 in 5·12
1854	1 in 176·41	1 in 102·36	1 in 376·53	1 in 4·26

Now the annual *average* proportion of the women named in the first column of this table who were attacked with syphilis during the last five years mentioned was 1 in 178·18, and the annual average proportion of the women named in the second column who were attacked with syphilis during the same five years was 1 in 81·78; and by adding the 178·18 and the 81·78 together we find that of all the women in the *maisons tolérées*, whether in Paris or in its suburbs, there was an average of 2 in every 259·96 annually affected with syphilis during the five years in question. But since 1854, the last year named in this table, the amount of syphilis among the women of the *maisons tolérées* in Paris and its suburbs has so increased that in 1867 there were two cases of syphilis in every 100 women. Again, the average annual proportion of the women named in the third column who were attacked during the last five years mentioned was 1 in 289·97, but, according to M. Lacour, even among these women disease had so far increased in 1867 that 1 in every 200 was found to be affected with syphilis. And further, whereas of the women named in the last column of the table, the average annual proportion diseased during the first five years mentioned was 1 in 6·13, the proportion diseased during the last five years mentioned was 1 in 5·16; and the annual proportion of women of the same class diseased during the years from 1857 to 1866 inclusive, was 1 in 4.

During the five years from 1857 to 1861 inclusive, the average annual number of clandestine prostitutes arrested in Paris was 1553; but during the subsequent five years, ending with 1866, the average annual number arrested was 2299. If the police were as active during the first of these two periods as during the second (and we have no reason for supposing they were not), we should be entitled to conclude that within the ten years in question the number of terribly diseased prostitutes in Paris has greatly increased; and, at all events, the established facts are—(1), that a much larger number of such prostitutes was actually discovered and arrested during the second than during the first five years in question; and (2), that whereas 20 per cent. of those arrested during the first period were diseased, of those arrested during the second period 25 per cent. were found diseased.

The group of facts we have last described may be thus summed up: there are 1000 beds in the Paris hospitals continuously occupied by venereal patients; during the last five years concerning which we have information on the subject there has been a gradual and great increase in the number of patients admitted to the Lourcine and the Midi; the severity of the disease has increased; the proportion of those women inhabiting the *maisons tolérées* who are attacked with syphilis is increased;

the proportion of those registered women living in their own apartments who are attacked with syphilis is increased ; the total number of those clandestine prostitutes (*insoumises*) who are annually arrested, and the proportion of them who are diseased are increased ; and finally, the proportion of diseased women among those inhabiting the *maisons tolérées* into which the administrators would fain force the whole prostitute population of Paris is far greater than is the proportion of those diseased among the registered women inhabiting *les maisons garnies*.

Do these results justify what is euphemistically called the system of "toleration," but what is to all intents and purposes the system of legalization, of prostitution now practised in Paris ? We believe that every one who dispassionately, impartially, and duly considers the facts we have now adduced will feel constrained to answer this question in the negative. But when after being obliged to recognise that the actual benefits achieved by the system are so slight as we have shown them to be, the inquirer proceeds to inform himself of the nature and extent of the positive evils which it works, he will, we think, become firmly convinced that the establishment in this country of a system having even the faintest likeness to the one in question would be one of the very greatest calamities which could befall the English people.

It will perhaps be objected that the large number of clandestine prostitutes which we have stated to be arrested every year in Paris, and the frightful amount of disease from which they are found to suffer, are no part of the results of the system of toleration ; but that, on the contrary, they are precisely the evils which that system is intended to extirpate, and which it persistently counteracts. We freely acknowledge that those evils are not direct effects of that system, and that if all prostitutes could only be induced to submit to it, syphilitic disease would soon, at all events, be reduced to a minimum. But, unhappily, so long as human nature shall continue to be what it is, that system can never have what its advocates may perhaps call "fair play," and perfect though the machine itself may be, yet working amid conditions to which it has never been, and never can be, adapted, it can scarcely do otherwise than fail to achieve the good expected of it, and we ought not to be surprised if meanwhile it does a great deal of harm. The fact is, it is admirably adapted to a society of slaves, whose abjectness is so absolute that they will never dream of having a will of their own ; but if set to work in a society of free women, and especially women whose appreciation of freedom and whose love of it is as strong

as it is in the minds of prostitutes, collisions and disasters of all sorts are sure to occur, and with such frequency as in the aggregate to prove a far greater evil than any good which the most skilful working of that machine, under the most judicious direction and amid the most favourable circumstances possible, could ever accomplish. Entertaining this opinion of the system of "toleration" and of its non-adaptability to human beings except in the form of slaves of the most debased type, we do not hesitate to hold the authors and administrators of that system responsible for a very large proportion of the physical, social, and moral evils which, on the Continent, and notably in Paris, result from what is there called clandestine prostitution.

Women who have avowedly adopted prostitution as a profession or means of existence value their personal liberty so highly that unless forced they resolutely refuse to barter it away for the questionable advantages which the *Bureau des Mœurs* offers in exchange for it; but women who have not avowedly adopted prostitution as a profession, although they may practise it more or less continuously, and may live entirely on the fruits of it, have the same irreconcilable repugnance as professional prostitutes have to surrender their freedom and to conform to the régime prescribed by the *Bureau*, and moreover have additional motives of the strongest possible kind for refusing compliance with that régime. To do so, and hence if found diseased to be forcibly carried off and imprisoned in the hospital, would change the whole structure and arrangements of their lives; the relations which they may have formed with men who have chosen them, believing either that they are exclusively attached to themselves, or that the circle of their relationships is small and select, would be abruptly ended; milliners, dressmakers, sempstresses, domestic servants, &c., who form a large proportion of the patients at the *Lourcine*, and who prostituting themselves occasionally, either to eke out a precarious existence, or to provide themselves with coveted luxuries in the form of dress, ornaments, &c., would at once lose their business connexions, or, if in situations, would be discharged; and the large number of improvident domestic servants who when out of place sustain themselves meanwhile by resorting temporarily to prostitution, would lose their characters irretrievably, and therefore the possibility of ever reinstating themselves in their former positions in life.

For all these women registration at the *Bureau des Mœurs* means ostensible social degradation; it sets upon them the mark of infamy; it compels them to commit themselves absolutely to a life of prostitution as a condition of continuing to exist, whereas before they were but hovering on

the brink of it, and still had it in their power to turn back ; it means loss of valued acquaintances and of long cherished friends, and, worst of all, it means also but too often to be cast off by relatives, to be disowned and repudiated by father and mother, and thus virtually to be forbidden ever again to visit the beloved home of childhood and youth. An unregistered woman who has "fallen," or who has been tempted by any of the many reasons which impel women to prostitution to prostitute herself temporarily, has it in her power to recover herself, and to resume her ordinary position in the society in which she moves, if meanwhile she discreetly keeps her own counsel, as she is likely to do ; but the difficulty of recovery after registration is increased a thousand-fold ; and hence the number of the prostitute-population, continually increased by the accessions of the recently seduced, and not correspondingly lessened by the withdrawal of an equal number, tends to become greater and greater where the system of toleration prevails. And anticipating a possible objection to this statement, we may observe that its justness is not rendered questionable by the fact that the number of the registered prostitutes in Paris has not recently increased, but, on the contrary, has rather lessened ; for were it not that a large proportion of those registered are constantly struggling to regain their freedom, and that though many of these succeed in their endeavour only temporarily, many escape altogether from the grasp of the police, and having become experienced in eluding them, afterwards contribute in a large proportion of cases to swell the ranks of clandestine prostitution, the number of those registered would be enormous. And it must be borne in mind that though a large number of women whose names are placed on the register escape every year from surveillance, and resort to secret prostitution, yet, *cæteris paribus*, if those women were to attempt to abandon their immoral habits, and to re-establish themselves as respectable members of society, they would, precisely because they have once been recognised and registered as public prostitutes, encounter difficulties far more numerous and far greater than those which would beset women who had never been registered, and who were making like attempts. Moreover, women are keenly alive to the fact that in the eyes of men their attractiveness is lessened in proportion as they are known to be easily accessible, and therefore inasmuch as registration stamps them as obtainable by almost any man who is prepared to pay the price they demand, nothing so effectually destroys that attractiveness due to the consideration in question, and consequently lessens correspondingly their market value, as the knowledge that they are registered and treated by the *Bureau des Mœurs* as

common prostitutes. Thus, beside the many strong reasons, previously adduced, which make women strive to maintain their independence, a well grounded conviction that they must do so if they would be really successful in the career of prostitution itself acts as one of the most powerful motives forcing them to resort to every conceivable artifice and deception in order to disguise their real character and to keep themselves free from the hated control with which they are always threatened.

Bearing in mind the variety and the cogency of the many motives impelling women to fight for and jealously to guard their freedom, and bearing also in mind the large array of historical facts we have passed in review, proving that under every régime of governmental regulation concerning them they have always done so, we can feel no surprise in learning that they rather endure all the evils of syphilitic contamination, getting medical help of a questionable sort as they best may, than, by applying to the Paris hospitals for relief, reveal at once their actual condition and position. At the hospital especially set apart for the treatment of prostitutes, viz., that of St. Lazare, registration is an essential condition of admissibility ; and though at the Lourcine a considerable number of girls coming from the provinces and who are unknown gain admission, the lynx-eyed police take good care that very few girls practising clandestine prostitution in Paris are ever received for treatment in that hospital. Their only chance, therefore, is to get into the general hospitals, in the way already described, under the pretence of suffering from fever or some other non-venereal malady. But though in this way some 200 beds in those hospitals are occupied by venereal patients, this number is miserably inadequate to the needs of the immense number of clandestine prostitutes in Paris. How inadequate these beds are may be inferred from the fact that whereas the 4000 registered prostitutes, whose diseases are reduced to a minimum by constant surveillance and treatment, still keep 200 beds at the St. Lazare always full ; the clandestine prostitutes of Paris, being estimated by the chief of the *Bureau des Mœurs* at about 26,000, would require, if only diseased to the extent observable in the registered women, at least five times the number of beds—viz., 1000. But as among clandestine prostitutes cases of syphilis are far more frequent and far more severe than among registered women, considerably more than 1000 beds are really required in order to minister to the needs of the former as effectually as is already done for the latter.

It is thus manifest that because on the one hand the *Bureau des Mœurs* will allow no patient to enter the hospital of St. Lazare unless she first becomes a registered prostitute, and because on the other hand the administrators of the general hos-

pitals will allow no woman suffering from venereal disease to enter them unless either she or some one on her behalf has recourse to a sort of fraud in order to effect her admission, the vast number of Paris prostitutes, who resist registration, who cannot afford to employ physicians to attend upon them when ill, and who moreover in many cases are obliged even while ill to continue the practice of prostitution in order to live, are virtually compelled to endure the venereal diseases with which they may become infected with scarcely any possibility or even hope of cure. Such is the final result of enforced sanitary surveillance of prostitution in Paris ; and such is the always inevitable result of this system wherever it is practised.

In Berlin, where the system of surveillance is now excessively strict, the average number of prostitutes under control in 1868 was about 1650 ; but the " number of females inscribed on the books, as suspected of prostitution, on the 1st of August, 1868," was 13,306. " But there are besides a great number of females who, by their outward appearance and mode of living, excite a reasonable suspicion that they are addicted to prostitution, but who carry on the business with such circumspection that the police have no cause for interference. . . . Their number may be computed at 12,000." The majority of severe cases of syphilis at the Charité Hospital in Berlin are said to be " traceable to clandestinity." That a large proportion of the clandestine prostitutes in Berlin are affected with syphilis is proved by the fact that whereas only 2½ per cent., or about 37 monthly of the women under control are syphilitic ; 166 women affected with syphilis were admitted to the venereal hospital, either " under arrest or under medical caution," during August, 1868.

The regulations now operative in Berlin are of recent date, and that they are applied with great energy and zeal is evident from the large number of arrests which are made. The arrests during the one month of August, 1868, were as follows, viz., for

Unauthorized residence	206
Neglecting to present themselves for examination	247
Accosting men in the streets	256
Indecent proceeding	990
Clandestine prostitution carried to excess . . .	21
Attendance required by police report	38

1758

Thus in one month the number of women arrested was larger than that of all the women under control ; while, on the other hand, 971 withdrew from control during the same month—of course to be replaced by those captured or recaptured. And yet, in spite of all this activity, there are about 13,300 females " inscribed on the books as suspected of prostitution," and about 12,000 more

who "excite a reasonable suspicion that they are addicted to prostitution"! Such is the state of things in a city having but two years ago only 702,000 inhabitants, and where the system of surveillance is applied with the utmost possible rigour!

The system of regulations in force in Brussels is like to that of Paris, only stricter in every sense. Prostitutes may not "circulate" in the streets even after sunset, and all registered prostitutes are examined medically at least twice a week. No girl can be registered at all until she is twenty-one years old. In so far as this small city itself is concerned there can be no doubt the vigorous application of this system has greatly reduced the amount of disease formerly prevalent there; but Brussels presents no exception to the general principle we have laid down. On the 1st of December, 1868, the number of registered prostitutes there was 316; and of these nearly the half, viz., 153, were sent to hospital with venereal disease during the previous eleven months. Within the city walls there were estimated to be 350 clandestine prostitutes, notwithstanding the constant vigilance and untiring efforts of the police; and of these 170 were arrested, and 228 suffering from venereal disease were received at the hospital. So that of all the prostitutes, registered and clandestine, supposed to be in Brussels in 1868, viz., 666, 381 were diseased at least once during that year.* And though the hygienic condition represented by these figures is loudly boasted of as an admirable and even marvellous achievement of the system of surveillance, the suburbs of Brussels teem with clandestine prostitutes; and it is deplorably confessed that "the efforts of the magistrates to purge away this disgusting leprosy are paralysed by the carelessness or the indifference of the administrations of the communes bordering on the city itself. . . . There prostitution is practised with impunity; there, in the evenings, the prostitutes promenade the streets, and incite to debauchery with revolting cynicism; and these women, from whom vice has effaced every trace of modesty, receive men freely at their houses. There is the asylum of vice, of debauchery, and of syphilis, where they develop and flourish in perfect liberty. The communes, which are contiguous to the capital, *and where the grossest abuses occur*, have framed ordinances for the regulation of prostitution like to those in operation in the city, but, excepting in one commune, they have never been executed." And in that commune the law is powerless; for the women have only

* For the most recent information given in the text concerning prostitution in Berlin and Brussels, we are indebted to the new edition of Mr. Acton's work, which is at once a mine of valuable materials for all interested in the subject which it treats, and an able exposition of the views of those who advocate the system of "toleration" and "control" now practised on the Continent.

to cross a bridge in order to be in a territory—that of Saint-Josseten Noode—where they are free from all interference, and which, containing a population of about 20,000 in the neighbourhood of the most frequented railway station, is the part for which prostitutes of all grades evince a special predilection. To this commune the non-registered *grisettes* of the city chiefly resort in the evening, and while upwards of a tenth of all the women in it are known to the police as given to prostitution, it is matter of public notoriety that the actual number of those who prostitute themselves, and of whom no medical care is taken, is frightfully great.

In Hamburg, side by side with the rigorous regulations prevailing there, clandestine prostitution is practised on a large scale, just as at Brussels ; and, referring to clandestine prostitution, Dr. Venot observes : “ It is the real domicile of syphilis at Bordeaux, and furnishes to the hospital its most rebellious maladies. Client of the accommodation-house, it escapes all calculation during a period which can only be measured by its address in eluding the researches of the police.” Of 307 clandestine prostitutes subsequently registered at Bordeaux, where the system of surveillance is in full activity, 241, or 78 per cent., had been infected with venereal diseases either once or several times before registration. The statistics of Strasbourg, Marseilles, Brest, Nantes, and Lyons, where also systems of surveillance, framed on the Paris model, are energetically applied, reveal groups of facts precisely like those pertaining to Paris, Berlin, and Brussels, which we have analysed ; and the thoughtful writer of the account of prostitution in Lyons, Dr. Potton, after tracing in a few striking lines the development of secret prostitution there, and pointing out that though less intrusive it is more common and more contagious than that which is avowed, observes that while the former increases the latter diminishes—a fact proved by the police statistics of that city, and exactly accordant with the experience of the Parisian officials at the *Bureau des Mœurs*, who, as we have already shown, are powerfully, though it may be unconsciously, contributing to effect a like transformation.

In our opinion there are few things more astounding than that peculiar mental blindness which prevents otherwise able intellectual men from seeing the true causal relation subsisting between the compulsory regulation and sanitary superintendence of such prostitutes as can be forced under control, and the development of secret prostitution. On every occasion when the experiment has been tried, prostitution, as a whole, has assumed larger and more formidable proportions, and venereal diseases, though greatly lessened among the women subject to sanitary surveillance, are so enormously increased among the

clandestine prostitutes, for the reasons already assigned, that the total amount of those diseases is actually not only quite as great, but probably *very* much greater than before; and it seems to us that not only the uniformity of the results of all the experiments tried, but the most rigorous and conscientious reasoning on the data supplied by even a moderate knowledge of human nature, can lead only to one conclusion, viz., that as a means of lessening the amount of the diseases associated with the practice of prostitution, the system of legal recognition, toleration, and regulation always has proved and always must prove a complete failure. And yet seeing the fearful amount of secret prostitution which is invariably developed by the side of that which is subjected to legal control, the great majority of men who concern themselves with this subject seem wholly unable to apprehend the lesson which the presence of this ever-widening social and physical canker teaches. And while continuing to ignore that lesson they have no remedial suggestion to offer, except that ever ready resource of the ignorant, and even of the educated when unacquainted with the constantly disastrous effects of legislation for what Wilhelm von Humboldt calls, with accurate discernment, "the positive welfare of the people," viz, *more stringent laws more stringently applied!* Duchatelet, intimately conversant with the long and mournful array of failures, the history of which he himself has written, proposed the enactment of a law comprising five articles of a thoroughly rigorous and repressive character; and the last French book on prostitution—that of Dr. Jeannel—reproduces this *projet de loi*, and supports it in the following words:—"It seems to me that a similar law of a character purely repressive, and which implies tolerance without announcing it, would not dishonour the nation which should adopt it, and I do not believe that in the state of civilization at which we have arrived it is possible to determine on a wiser course." And Mr. Acton, in the new edition of his work on prostitution, published while we write, claims the questionable honour of having "always contended" for the principle of legislative recognition and regulation, and of having "in some measure paved the way for, and guided the progress," of that English legislation which has issued in the Contagious Diseases Acts; and he says it seems to him absolutely necessary that they should be applied to the whole civil population. Moreover, his espousal of the continental system (except in respect to "licensing," which of course all good English Christians are bound to repudiate) is so thorough, and his faith in it so complete, that he believes, he says, "that if the suburbs of Brussels were placed under the same surveillance, syphilis would be stamped out!" The suburbs of Paris are placed under the

same, or very similar, surveillance : is it stamped out there? How we wish Mr. Acton would duly consider the facts which he himself has assembled for the consideration of his readers!

With a full knowledge of all that has been said in favour of the system of compulsory surveillance, of all the facts adduced in its support, and of all the good which it does within the several small numerical areas to which it is applied, we repeat our deliberate conviction that if its indirect effects on clandestine prostitutes, as well as its direct effects on those who are registered, are fairly taken into account, the result will demonstrate that the aggregate number of cases of syphilis is not at all lessened but probably greatly increased by the application of the system. Now, if it fails in this respect it fails altogether. In every other respect its effects are so demoralizing and so degrading that if considering them only we pronounce judgment upon it, that judgment must be the most emphatic condemnation.

The prostitute-population of every town, where no compulsory surveillance prevails, consists of women of numerous grades—social, moral, and intellectual; of women who prostitute themselves not for the necessities of life but for its luxuries; of women who live entirely on the wages of prostitution, but who live in material comfort, bordering even on luxury; of women who only manage to support themselves in a condition of constant struggle for existence; of women who have received a good education, who may have some practical knowledge of music, more or less acquaintance with the superficial literature of the day, and exhibiting, perhaps, that general refinement, elegance, and grace which many of their respectable and wealthy sisters may fairly envy, and, on the other hand, of women who cannot even read or write; of women who are driven to prostitution by direst necessity for the support, not only of their own lives, but of those even of their parents or their children; and of women whose chief inducement to dishonour themselves is idleness, associated in one case with excessive vanity and love of dress, in another with a restless spirit, gratified only by moving about from place to place, and by constant change, and in another with the dominant influence of the mere sexual passion; and finally, of women who generally lead respectable lives, but who at times only, under the temporary pressure of poverty too extreme to be withstood, resort for a brief period to prostitution, and who escape from it immediately they are able to do so. Women with the various characters and in the various conditions of life here indicated, if not forcibly interfered with, will shape their several courses of life in accordance with their different natures and needs, and in a large proportion of cases will finally withdraw from the practice of prostitution through avenues best

known, and often only known, to themselves ; and will establish, or re-establish, themselves in respectable, and not seldom, honourable positions in various ranks of social life. Now, in so far as the system of surveillance, or the English Contagious Diseases Act can act at all, as a social influence, if applied to such an aggregation of women as these, it does so by levelling, not upwards but downwards. That system tends to confound them altogether into one indistinguishable crowd of "common prostitutes;" to abase all to the same low grade of women registered, known to the police, and under their control ; to extinguish in every one whatever remnants of self-respect she may still cherish, and thus to suffuse and bow down her spirit with that sense of hopeless degradation, the surest forerunner and accomplice of that absolute abjection, physical and moral, which is too often irretrievable. Moreover, as we have shown, the constant effort of the administrators of the system of compulsory surveillance is to force all the prostitutes they can to become inhabitants of brothels, in order that their hold upon them may be more secure ; and what is their fate in these dens of infamy ? "These unfortunates," Duchatelet tells us, "are obliged to abandon themselves to the first comer who calls for them, if even he is covered with the most disgusting sores ; there is no drawing back, if they would avoid blows and the very worst of treatment. Their mistresses give them no repose ; for to make use of a comparison that has often been employed by the inspectors, the most brutal carter takes greater care of the horses under his charge than these women do of the girls whom they employ to make a fortune out of." There is only too much force in these words of Alphonse Esquiros (quoted by Mr. Acton) : "Let a girl once enter these houses, she must necessarily bid adieu to heaven, to liberty, to honour ; and to the world ! I would write over the door of such a house those celebrated words of the Italian poet, 'All hope abandon, ye who enter here !'"

Happily, though such are the influences exerted on those women who are subjected to control, the exercise of that control is restricted within narrow limits. According to the best authority there are, we repeat, 26,000 prostitutes in Paris, and 13,000 "inscribed on the books" in Berlin— $\frac{1}{3}$ in the one case, and $\frac{2}{3}$ in the other of the total estimated number of prostitutes—whom the police cannot touch ; while in the latter city there are, it is estimated, 12,000 other women who resort to prostitution more or less. But though all these women, as well as those of a like class in other towns where compulsory surveillance prevails, elude the researches of the police or save themselves from being legally convicted of practising prostitution, they are,

[Vol. XCIII. No. CLXXXIII.]—NEW SERIES, Vol. XXXVII. No. I. N

to all intents and purposes, subject to the system of forcible repression ; for, in fact, the system of surveillance really consists of toleration of those women who are subjected to it ; and of repression, as far as the power of the police extends, of all forms of prostitution not ostensibly under legal and sanitary superintendence. The social and moral, as well as the physical, evils of compulsory surveillance are, therefore, twofold : *first*, those inherent in the application of the system itself ; and *second*, those which are inseparable from the practice of the policy of repression. The first group comprises the degrading influences on prostitutes themselves which we have already enumerated ; the degradation of the general moral tone of all communities in which prostitution has the sort of legal sanction which compulsory surveillance exemplifies ; and the practical expression of a conviction which implies despair of social progress, as well as the acceptance of harlotry as an everlasting accompaniment of civilization, and which therefore virtually gives the lie to that vital principle of Christianity, constituting, as we have said, its very essence. The second group comprises the development of an attitude of defiance towards the government agents who enforce the system of repression, and the consequent feeling that almost any conduct in matters pertaining to the relation of the sexes which defeats the governmental regulations concerning that relation is not merely venal but praiseworthy ; the rapid spread of prostitution and habits of debauchery among classes of women who previously were scarcely tainted with it at all ; the growth in Catholic countries where marriage is indissoluble of that domestic form of prostitution—*cicisbeism*, which is characteristic of the country where ecclesiastical power has enforced the policy of repression most vigorously, and which made its appearance in Berlin when that policy was adopted there ; the systematic seduction of young girls just emerging from childhood, which has become one of the most horrible features of Parisian demoralization ; and that general diffusion of sexual immorality among all classes of society which is most observable where the repressive policy is most completely adopted—as we have seen it to be in Rome.

We regret that we have neither space nor time in which on the present occasion to fulfil our promise given last July at the end of the article on "Prostitution in Relation to the National Health." We certainly hoped to do so in the latter part of the present article, in the form of an exposition of what we regard as the policy of justice and common sense in this matter ; but the present article has already grown so long that we are compelled to defer offering the suggestions which we have to propose until the publication of the April number of this Review. Our apology for discussing so fully as we have done the attitude of

several European States towards prostitution is our conviction that the lesson derivable from their experiments, correctly interpreted and understood, is unspeakably valuable to us. Believing that lesson to be the one which we have endeavoured to explain, we have felt it to be our paramount duty to do all in our power in order to destroy that baneful superstition that the surveillance of prostitution by governmental agency is in any sense beneficent—a superstition which unhappily has taken deep root in the mind of English medical men and of English statesmen, who, therefore, instead of proving themselves trustworthy guides of the public through the mazes of this difficult subject, are striving to force on legislation in a direction which, while outrageously violating the freedom of a large number of English subjects, and utterly failing to achieve the object they have in view, is sure to produce general demoralization of the English people, and to constitute the greatest calamity that has ever befallen them. As *The Medical Mirror* (for November last) justly observes: “A due regard for the public welfare urgently demands that the question shall be generally and exhaustively discussed: if the lay press of this country has any real claim to be entitled the promoter of its welfare and the guardian of its liberties, it will yet summon up courage to put aside those feelings of false delicacy which in respect to this unspeakably important subject have hitherto paralysed it, and before it is too late will so arouse and instruct the people concerning the nature and effects of the law recently enacted that, unless they think it a necessary evil, it will be their own fault—consciously committed—if, instead of insisting on its abrogation, they suffer it to spread its degrading and demoralizing influence over the whole country.”



INDEPENDENT SECTION.

[Under the above title a limited portion of the Westminster Review is occasionally set apart for the reception of able articles, which, though harmonizing with the general spirit and aims of the work, contain opinions at variance with the particular ideas or measures it may advocate. The object of the Editor, in introducing this department, is to facilitate the expression of opinion by men of high mental power and culture, who, while they are zealous friends of freedom and progress, yet differ widely on special points of great practical concern, both from the Editor and from each other.]

ART. VI.—OUR POLICY IN CHINA.

Parliamentary Papers. China. Nos. I. to X. London: 1869.

ONE of the most hopeful signs of the times is the rapid and steady growth in the public mind, of the conviction that the dictates of justice are as binding on the conduct of communities, as they are on the conduct of the individual persons of whom communities are composed. It is now acknowledged by statesmen and politicians of every form and shade of political opinion, at any rate in this country, that the nation over whose destiny they preside, and whose affairs they practically administer, would not be warranted in acting for its own benefit towards other nations, in any way differently from that in which they themselves would be warranted in acting for their own benefit towards other men. To this healthy and fortunate change in the principles of our public policy are in great measure to be attributed the dangers and complications which have recently gathered round our colonial and foreign relations. These relations have been handed down to us from a period when the enlightened considerations by which we now seek to regulate them were either unknown or ignored. We find ourselves in a situation in which we should never have voluntarily placed ourselves, and it is a problem requiring no less wisdom than virtue for its solution to determine how we are to extricate ourselves from the difficulties of that situation with due regard to our national interests on the one hand, and to our national integrity on the other.

More especially is this the case with regard to the attitude we have assumed towards the Asiatic races—the millions of India

and China. The footing we have gained in either empire is simply the result of conquest, and the tenure by which we hold it is the sword. And although we have gradually become conscious, particularly in respect of the first, and in a minor degree in respect of the second, that we have duties to perform as well as rights to claim, both in the one and in the other, our position is utterly indefensible upon any moral principles now accepted by the more civilized portion of mankind. Further than this, neither in India nor in China would any other foundation than that on which they have always rested and in fact at present rest, be understood, much less appreciated, for our authority and interference. Through countless centuries the Hindoos and Chinese have been accustomed to look upon the law of the stronger as the legitimate rule of life, and we may anticipate that it will demand a very long course of European treatment before they will be induced to throw off this primitive notion, and to substitute for it an abstract conception of the civilizing mission of the Anglo-Saxon race.

Nor can it be said, with regard to the Chinese at all events, that the European treatment they have as yet received is calculated to effect this desirable transformation with celerity. The history of our intercourse with China shows that we have been blameworthy to an extent which we must deplore, and to an extent which happily is not likely to occur again. The lot of the present residents, however, has fallen on better times, and it is our privilege to dispense towards China that justice which previous generations of our countrymen often denied to it. But here the question arises, what is justice to China? The answer is by no means easily given; but we hope in the course of our observations to recommend and defend a policy which is founded on substantial justice.

In January, 1868, Mr. Burlingame left China on his mission to the Western Powers, proceeding first to the United States by way of San Francisco. He delivered a speech in the latter city, which revealed little, and apparently concealed little; because, at this time, it would seem he had not attained to those transcendental views on the high civilization of China, and the extreme anxiety of its rulers to advance, which he subsequently developed. In his speeches afterwards delivered at New York and Boston, he placed the China question before his auditors in what we conceive to be an utterly distorted light, and as we think wholly misrepresented the attitude of the Chinese Government towards foreigners, and its desire for progress. The United States Government, sharing probably in the prevailing excitement, and anxious doubtless to render the mission successful, entered into a treaty of eight articles supplementary to that of

1858; these articles being, in our estimation, quite uncalled for and unnecessary. We shall not, however, enter at present into any consideration of the policy of the Treaty, or of the articles themselves, as we shall touch upon the questions in our discussion of the course pursued by the British Government. Mr. Burlingame then went to London, fortified with his supplementary Treaty with the United States; and on his arrival there about the beginning of October, he found the Disraeli Ministry in power; and Lord Stanley at the Foreign Office. Nothing was done, and in the meantime the large liberal majority in which the elections resulted, led to the advent of Mr. Gladstone and the Liberal party to power. About the middle of December the Ministry was not quite formed; but Lord Clarendon had been appointed Foreign Secretary and Mr. Otway Under Secretary. Immediately, however, Mr. Burlingame placed himself in communication with the Foreign Office, and, on the 26th of the same month of December, he had an interview with Lord Clarendon; and two days later, on the 28th, the latter committed himself in a despatch to Mr. Burlingame to an entire change in our policy towards China. So that in about two weeks after the formation of the Ministry, and with all the manifold labours attending his assumption of numerous and important duties, Lord Clarendon entered into an arrangement with Mr. Burlingame with astonishing haste, and with all the confidence that he could have shown in the most indisputable cause. He thus states his view of the position:—

“I gathered, from the conversation that I had the honour to have with you on the 26th instant, that the objects of the Chinese Government in sending a Diplomatic Mission to Europe were twofold; one, that by means of such a Mission the European Powers might be disabused of an impression which it was supposed at Peking that they entertained, that the Chinese Government had entered upon a retrograde policy, and contemplated not only refusal to enlarge their relations with Christian nations, but even restriction within narrower limits of the intercourse which, under Treaty, those nations were now entitled to hold with the Chinese dominions; the other, to deprecate any intention on the part of European Powers to bring to bear on China any amount of unfriendly pressure to induce her rulers to enter precipitately on a new system of policy, which would seriously affect her independence.

“I understand from you, that the Chinese Government were fully alive to the expediency, or even necessity, for their own interests, of facilitating and encouraging intercourse with foreign nations; that they were sensible of the advantages that would result from a greater assimilation of their rules and practice to those of other nations, and from the adoption of the improvements by which the industry of Europe had been so much developed, and the happiness of its people

so much increased ; but that with all this they felt that any attempt abruptly to introduce new systems or new ideas among a people whose knowledge of foreign nations was of recent date, and who had been brought up under a traditional system, to which they had been accustomed and were attached, would not only produce confusion and even revolution in the country, but would tend to retard instead of promoting the progress, the necessity for which the Chinese Government fully admitted, and were desirous to encourage, though they wished to be allowed to do so by degrees, and without any sudden and violent shock to the feelings, passions, and even prejudices of their people."

After an admission that the Chinese Government were entitled to count upon the forbearance of foreign nations, and that there was no desire or intention to apply unfriendly pressure to them to induce them to advance more rapidly than was consistent with safety, Lord Clarendon proceeds:—"But Her Majesty's Government, I said, expected from China a faithful observance of the stipulations of existing Treaties, and reserved to themselves the right of employing friendly representations to induce the Chinese Government to advance in the course opened up by those Treaties," &c.*

If the feelings and tendencies of the Chinese Government were such as they are represented to be in the above passages, and if the confidence which Lord Clarendon expresses in the expectations which he entertains, was based on any obvious grounds of justification, then very few people would be found in China or elsewhere to take exception to the promulgation of this new policy. But it is really untrue that the Chinese Government desire or encourage progress ; and as an indication of the extent to which Lord Clarendon was precipitate, we assert, with the utmost confidence, that this view of the desire of the Chinese Government for progress is repudiated by every foreigner in the Chinese Empire, be he merchant, missionary, consular official, or official in the service of the Chinese Government itself. This assertion is deliberate and decisive, yet not more decisive than the irresistible conclusion arrived at by all the best friends of China. It would be an egregious mistake to suppose that there are not many men in China who weigh all the circumstances of that empire with as anxious solicitude, and as conscientious regard for its true interests, as can possibly be done in London. It is painful to have to record the utter disappointment universally felt at the overwhelming testimony that there is no spontaneous desire for progress observable in the Chinese Government. We insist upon this fact with the fullest and most

* *Parliamentary Papers, China*, No. 1 (1869). Despatch of the Earl of Clarendon to Mr. Burlingame, dated December 29th, 1868.

accurate knowledge of the circumstances to which we testify ; and fortunately, it is easily within the power of the British Government to satisfy itself on the point.

The utmost stretch of progress that the party most favourably disposed towards China can place to its credit is, that, feeling its weakness as a military and naval power, it has adopted the frequently-urged suggestions of foreigners, and established gun factories and arsenals for the production of the implements of warfare, and has adopted foreign methods of drilling troops. Further than this, the Chinese Government take no initiative in progress, and therefore at this limit we draw a well-defined dividing line. The Chinese authorities are convinced only of one fact—their inferiority to foreigners in point of material strength, and this conviction has only been produced by the successive wars in which we have inflicted on them deep humiliation. They are thus prepared to make efforts to increase their strength as a naval and a military power, in hopes that they may one day wipe out the stain of their defeat, and once more become, what they have always assumed themselves to be, the supreme power on earth. But beyond that, the old spirit of pride, conceit, and seclusion is dominant as ever. Mr Burlingame's views, as communicated to Lord Clarendon, convey a very inaccurate notion of the true attitude of the Chinese Government, and were as great a surprise to that gentleman's friends at Peking, who favoured and supported the mission, as they were to those in other parts of China who seconded the views he freely expressed on the eve of his departure. We are interested solely in discovering the truth ; we ask for a fair investigation of the facts, and we do not fear the issue. From a private document,* written by one of the ablest men in China, we extract the following passage, and we give our assurance that evidence more favourable to the Chinese is not to be obtained.

"The press, in its speculations as to the objects of the Mission, has completely overshot the mark : it has forgotten that not one Chinaman in ten thousand knows anything about the foreigner—it has forgotten that not one Chinaman in a hundred thousand knows anything about foreign inventions and discoveries—it has forgotten that not one Chinaman in a million acknowledges any superiority in either the condition or the appliances of the West ; and it has forgotten that of the ten or twenty men in China who really think Western appli-

* This remarkable document, which must be in the hands of the British Government, is dated 30th June, 1869 ; and if the just and disinterested admissions contained in it regarding the condition of China and the Chinese, do not convince the British Government of the erroneous views under which they are labouring, then no testimony whatever is likely to influence them on this question.

ances valuable, not one is prepared to boldly advocate their free introduction."

Again the writer says ;—

"Some forty officials in the provinces, and perhaps ten at Peking, have a glimmering notion of what it is that the foreigner means when he speaks in general terms of progress, but of those fifty not one is prepared to enter boldly on a career of progress, and take the consequences of even a feeble initiative."

As to the positive dangers of the policy of Lord Clarendon, of the elements of future wars that it contains, and from which the policy that we have just abandoned was comparatively free, we quote the following sentence :—

"At the same time I cannot but fear that if the public is determined to carry on that delusion, and will not see how unfounded its expectations are, China, by disappointing those expectations, may, fatally for herself, find foes where all wished to be friends."

It would be ludicrous, if it were not painful, to observe the self-complacency with which Mr. Burlingame and Lord Clarendon accept the intelligent desire of the Chinese Government to adopt progressive measures at the earliest moment consistent with safety. It is an indisputable fact that Mr. Burlingame never had any authority from the Peking Government to give the assurance of progress on which Lord Clarendon distinctly assures us his policy is founded. We have searched in vain among the Parliamentary Papers of the last twelve years for any anticipation, or even hope of the condition of affairs which Lord Clarendon assumes to be now existing. The evidence of Lord Elgin and Sir Frederick Bruce, and the whole history of their diplomatic careers in China, would have led any one to distrust the possibility of such a change as that which Mr. Burlingame alleges has taken place. Those distinguished statesmen failed to discover any symptoms of an impending revolution in the opinions and desires of the Chinese rulers. Sir Rutherford Alcock has also failed to discover that any such change has taken place ; and indeed, at the present time, there is every reason to believe that the Peking Government has entered on that very retrograde policy which Lord Clarendon accepts Mr. Burlingame's assurance that his Embassy was sent to repudiate. Lord Clarendon, having taken up an erroneous position in believing that the Chinese are anxious to enter upon progressive measures, then proceeds to stipulate that since they recognise the superiority of the Western appliances, and desire to introduce them, they are "entitled to count on the forbearance of foreign nations," and the British Government has no desire or intention to apply unfriendly pressure to China. This concession to the

Chinese is more accurately defined in the eighth article of the Supplementary Treaty with the United States. It is to the following effect :—

“The United States, always disclaiming and discouraging all practices of unnecessary dictation and intervention by one nation in the affairs or domestic administration of another, do hereby freely disclaim any intention or right to intervene in the domestic administration of China in regard to the construction of railroads, telegraphs, or other material internal improvements, &c.”

Triumphant as this policy is by the overwhelming fact of the adherence to it of the United States and British Governments, it is, after all, but an empty form. The whole spirit of our residence in China is opposed to it, and it is impossible to remain within the limits of the empire if we have any sincere intention of carrying it out. It is difficult to comprehend how any such stipulation could have been seriously entertained by persons who are aware of what we may denominate our forced occupation of the country ; and, if it is done with a view to China becoming at an early date a power so enlightened that we can extend to it the full rights of international law, we shall not have to live long to find ourselves undeceived. It is in the highest permanent interest of China that we condemn this policy ; and yet we are opposed to any unjust pressure or dictation. We do not ask the British Government to adopt towards China a selfish and aggressive policy, but we ask them to frame one which will fairly meet the circumstances of the case, and which will stand the test of practice.

The promulgation of this policy of forbearance adopted by our Government has, however, a more serious aspect than the mere fact of its being a mistake on our part. If the Chinese had entered earnestly into the introduction of European methods and appliances, if they had undergone that mental modification which Lord Clarendon believes they have, and if in the fair development of these new ideas they were interrupted and threatened by a set of irresponsible British bullies, then such a policy would be the least act of national redress that we could offer. But the circumstances of the case are far otherwise. With the exception of trying to increase their material strength, they have attempted nothing. And, however ludicrous it may seem, we may rest assured that what our Government has done out of generosity, the Chinese authorities will certainly regard as a confession of weakness. It is a perfectly well-known fact that the Peking Government, so far from being in the least degree grateful for the patronizing forbearance with which they have been treated, resent it as an insult. This very eighth article to which we take exception has wounded the pride of the Chinese

authorities ; and instead of accepting it with gratitude they ask how they can be expected to ratify a treaty in which their envoy has allowed the United States to disclaim any intention of doing certain things which the Chinese authorities deny they ever had any right to do. The argument based on the forbearance of the British, which is declared to be in spirit identical with the policy of the United States, is equally cogent. The Peking Government will undoubtedly say, how can we accept your forbearance, when we have never admitted your right to do those things, which you now tell us you are willing to forbear. On this point we quote the following sentence from the private document already referred to :—

“ It is on the other hand to be remembered that to promise not to force her to improve, would be simply to deprive China of her greatest motive for attempting what must end in progress, namely, that feeling of insecurity and that desire to provide against contingencies, which induce exertion, and which are initiating a course of action that must of itself bring progress, and all its appliances in its train.”

This sentence is deserving of the utmost consideration. It may be difficult for people in England to fully comprehend why a policy of abstract justice can be not only inexpedient but highly pernicious ; yet the above statement of the position is that to which all the best friends of China adhere. The ordinary motives that actuate nations are wanting in China ; and they have been so completely wanting in the past, that we have been compelled to undertake costly wars in order to obtain that footing in the empire which other nations encourage within their territories in their own interest. We cannot but dwell on the fact that our present position in China does not rest on any basis of reciprocity ; we have arrived at a condition of equilibrium between ourselves and the Chinese by the logic of victorious arms on our side, and of hopeless defeat on theirs ; and we are sorry to be forced to admit that we can only hold our position as residents in the empire by the continued maintenance of our *prestige* and by the continued predominance of our active moral influence. The special question of the treatment of semi-civilized by civilized states is one which has received far more earnest and accurate consideration from foreigners in China than it has in England, and the conclusion of those most favourable to the Chinese is summed up in the above quotation, that to promise not to force her to improve, is simply to deprive China of her greatest motive for attempting progress, namely, to deprive her of that feeling of insecurity and that desire to provide against contingencies, which induce exertion and lead to advancement. Yet it would be a mistake to suppose that we

therefore advocate a policy of compulsion. Indeed we most strongly deprecate such a course. But we do insist that civilized powers can pursue a policy of justice towards semi-civilized nations, without binding themselves to any stipulation that is likely to be misunderstood, or that withdraws from the latter those motives to advance which it is the function of our superior civilization to endeavour to arouse in them. In this connexion we do not know any exposition of the bearings of the case comparable to that contained in a justly celebrated despatch* from Sir Rutherford Alcock to Lord Stanley, dated 5th February, 1869, relating to Mr. Gibson's proceedings in Formosa. We commend this document to the careful perusal of those who desire to inform themselves, why it is that a policy of reciprocity is utterly inapplicable to China, and the more so that we cannot believe that any unprejudiced person can read the views therein presented, and at the same time consider Lord Clarendon's policy, or his special reply† to the above, under date of April 26th, to be satisfactory.

But it may be retorted, why is it, if you disclaim any intention of using force, that you condemn the Government for disclaiming any intention of applying unfriendly pressure. This also is one of those questions which is easily answered when one has confronted the facts affecting it. One of the incidental attributes of civilization is the superior physical power which it gives to nations, and the commanding influence over inferiors with which it surrounds individuals. Barbarism and semi-civilization presuppose ignorance, want of high organization, and a more or less primitive condition of the arts and appliances of life. The result of these disadvantages as compared with civilized nations, is mental, moral, and physical weakness; while the concomitants of civilization are mental, moral, and physical strength. The presence of civilized men in a semi-civilized community is sufficient to demonstrate the influence of the former over the latter, either for good or evil. To a nation like the Chinese, the resources of the West are incomprehensible, the extent of our power over nature they are unable to estimate; and thus, having conquered a position in the empire by the incomparable superiority of our arms and mechanical appliances, we have raised in the Chinese mind vague and undefined fears which lead them to place considerable importance on any firm and decided pressure that may be made by individual foreign ministers at Peking, or by all of them jointly. If we might so express it, the Peking Government shrink from the

* Parliamentary Papers, China, No. 3 (1869), pp. 35, 38.

† *Idem*, p. 55.

responsibility of refusing the firm and just demands of the foreign ministers, because they dread the results of incurring their displeasure, or of placing themselves in opposition to the foreign powers. They are conscious that behind the simple words of the five courteous ministers at Peking, there are arrayed the irresistible strength and inexhaustible resources of the civilized world. They fear they know not what, and the very uncertainty regarding results is the chief cause of any tendency they may show towards concessions or compromise. Thus we get possession of the only lever short of actual force that has yet been discovered, by which we may hope to urge the Chinese Government to advance—the lever of foreign *prestige* as embodied in the ministers—the mysterious entity of an uncomprehended civilization.

Shall we abandon our *prestige* in China, and cast to the winds that active moral influence by the careful exercise of which there is every reason to believe we can accomplish what was formerly only possible to successful warfare? We trust that such will not be the fate of the most hopeful policy, both for China and the West, that has yet been discovered. If China will assent to progress and the development of her resources under a system of well-considered pressure by the foreign ministers, even if its rulers are under the fear of armed compulsion if they refuse, we cannot see that the exercise of this pressure in a responsible manner by the foreign Governments is objectionable. Any improvement in China is only possible under such a system. We have no desire to be unjust or unreasonable towards the Chinese, and we do not advocate the adoption by the British Government of any policy which will not bear the most complete investigation. We do not contemplate the employment of force as a means of civilization; and, if commerce is instinctively aggressive, the legitimate bounds of its activity are under the control of the British Government. But we strongly object to any assurance being given to the Chinese authorities that the time and manner of their progress are left entirely to their own discretion, and that, therefore, they need no longer fear to disregard the demands of the British Minister at Peking. Surely we do not require to take precautions against our own insincerity; and if not, what possible object can we gain for ourselves, or the Chinese, by thus abandoning our only satisfactory vantage-ground and binding ourselves down to refrain from doing certain things, which we could equally refrain from doing without any formal disclaimer. To give such assurance is to put an end to progress in China; to abstain from giving such assurance is to leave in the hands of our Minister, of the British Government, in truth, a power by which they may be enabled to induce the Chinese to adopt those changes that are necessary to their own

advancement. In this advancement China is, herself, deeply interested; although, if left to the freedom of her own will, she would rush upon ruin by following the tendencies of her rulers towards retrogression. Yet, it must be evident both to Lord Clarendon and the Duke of Somerset, that no Government, whether enlightened or ignorant, can afford to despise the manifest, though unobtrusive tendencies of modern ideas. This is, however, pre-eminently the case with the Chinese.

“ They take the rustic murmur of their bourg
For the great wave that echoes round the world.” •

The consequence is that our natural duties impel us to assume some responsibility in guiding the Chinese, so as to have them avoid the dangers they know not of. And this is by no means a matter of choice with us. Our governments have in the past chosen to enter upon, and indeed to compel, certain relations between themselves and the Chinese, and these relations have, undoubtedly, disturbed the equilibrium of Chinese institutions, and introduced into the empire dangers, for the avoidance of which we cannot but feel the chief burden of responsibility. We, therefore, are bound not only to investigate the entire circumstances so as to judge what it behoves us to do in our own interests, but also to decide how far our responsibilities require us to exercise, along with the other powers, a *quasi* guardianship over the development of China on that path along which we have ourselves compelled her to go. We have not only introduced elements that conflict with native institutions; we have opened China to the world, regardless of the fact that the whole theory and practice of her system are based upon seclusion. Thus, then, having destroyed the equipoise, such as it was, of her native institutions, and having compelled her to diverge into an entirely new path, we submit, in all earnestness, that it is a reprehensible dereliction of duty to abandon her amidst such opposing elements, and to leave her rudderless on the high seas, to be drifted or dashed on unknown shores.

It is abundantly evident that the Chinese Government is now engaged in a race against the foreign influences which are silently at work, and which threaten its destruction. Wrapped up in unbounded conceit and almost impenetrable indifference to their own highest interests, the Chinese have never yet risen to the full height of any new question, and attempted to deal with it in an enlightened spirit. The contact with civilization and the conflict of novel ideas have not stimulated them to controversy, have not roused them to any effort to meet the emergency which might seem to bring them danger. But it is none the less certain that China must either advance or become dismem-

bered. The judgment of the Chinese themselves on the perils that beset their future course is utterly worthless; there is no statesman in the empire who contemplates the future, except in the light of a hoped-for return to ancient customs and ancient predominance. But for us to expect such a vision to be fulfilled, would be to ignore experience and all the teachings of history. If we cherish aught of regard for the welfare of the Chinese nation, we cannot but feel that we have duties to perform in providing for the maintenance of the integrity of their territory, and in rendering China a suitable home for the hundreds of millions of their race. We shall not stop to discuss the question as to the political designs of Russia and France, but shall content ourselves with saying that dangers from those two powers are undoubtedly to be apprehended. We are for the present simply concerned to show that in the contest between the present and the past that is now going on all over the world, the contest between civilization and barbarism, between enlightenment and ignorance, between the armoury of endless mechanical appliances and the few rude contrivances of primitive ages, the result does not admit of a shadow of doubt.

The only hope, therefore, for the future cohesion and independence of China lies in the energy with which it can be induced to avail itself of the improvements and inventions which are necessary to national strength. The question is no longer one of greater or less development, the unmistakeable issue is that of the preservation of the empire. China must accept the conditions of existence as every other nation has had to do; if it insists on being retrogressive or stationary, the external and internal influences that now press irresistibly towards extensive changes, will ultimately bring about the dissolution of the empire. Not merchants, not missionaries, not Ministers, threaten the peace of China, but the all-pervading pressure of civilization itself is bound to triumph, and the Chinese Government must either range themselves under its banner, or they will inevitably be swept away by a current too strong to be resisted. Protocols will not stay the onward movement of the age in China any more than they have stayed it in Europe. And the British Government must be aware that China cannot stand still or go back without being lost. Thus, then, their manifest duty is to weigh the circumstances, and to urge the Chinese by every available means to adopt those Western appliances—to initiate those progressive changes which will strengthen the empire and enable it to ward off that destruction, towards which it seems now of its own accord to be rapidly hastening.

It may appear to some, however, that Lord Clarendon's policy is not so objectionable as we hold it to be. It will perhaps be

said, he has certainly accepted Mr. Burlingame's assurance of Chinese progressiveness, and acknowledged the right of the Chinese to decide the time and manner of their progress, and promised our forbearance in the meantime and until they can make up their minds to advance; but then he has insisted in return on the faithful observance by the Chinese of existing treaties. In a letter* to Sir Rutherford Alcock, he says:—

“I requested Mr. Burlingame to bear in mind and to make known to the Chinese Government, that we should henceforward have a right to expect on its part the faithful fulfilment of Treaty engagements, the prompt redress of grievances referred to the Central Government, and friendly treatment of British subjects by the Chinese authorities. This, I said, was not only just and reasonable in itself, but also necessary in order to enable Her Majesty's Government to give full effect to the policy which they desired to observe towards China, particularly with reference to not having recourse to measures of force unless for the immediate protection of life and property.”

The inference to be drawn from this is, that Lord Clarendon has made his policy contingent upon a faithful observance of the Treaty by the Chinese; and as this is provided for, it may be thought that there cannot be much to complain of. But it is perfectly evident that while our Government have bound themselves by the terms that they have voluntarily yielded, and will observe these terms with the most perfect good faith, the observance of the Treaty is as yet only assented to by Mr. Burlingame. And further, we insist that even if the Peking Government gave their assurance, the state of China forbids us to expect that it would be satisfactorily observed. The elastic texture of the Chinese mind is such that they will promise without having the slightest intention of fulfilling. We must not, however, lose sight of the fact that the infractions of the Treaty take place in the provinces, beyond the immediate control of the Government at Peking; and the cognizance of such acts does not, under the Chinese system, pertain to it. It has not, in the past, been able to grant redress, and there are no good reasons for believing that it will be capable of doing so in the future. So that we are convinced it is a mistake in us to abandon our vantage ground in return for a mere expectation of the fulfilment of Treaty engagements. Indeed, we have signally failed in obtaining the observance of the Treaty by the Chinese during the last nine years, with our Minister at Peking clothed with full powers to insist on its fulfilment even to the extent of applying force. How we can expect it to be observed when the British

* Parliamentary Papers, China, No. 1 (1869), p. 5. Despatch of the Earl of Clarendon to Sir Rutherford Alcock, dated January 13th, 1869.

Government have distinctly assured the Chinese Government that our pressure means nothing, and when it openly censured our Minister, without, it would appear, fully investigating the circumstances, is more than we can understand. Sir Frederick Bruce has clearly indicated the conditions under which any policy must be carried out in China. He says :—

“I stated to Mr. Berthemy that I had long since urged the union of foreign Powers in questions affecting their common Treaty rights, as the only effectual mode by which these rights could be asserted ; that the Representatives of Russia and the United States held the same views, and that we were prepared to act upon them ; that, in my opinion, no assistance or moral support should be given to this Government unless on condition of our Treaty privileges being respected, and of the Government showing itself willing to brave the unpopularity it would have to incur with the anti-foreign party in China, by pursuing a friendly course in its relations with foreign Powers.”*

Again, he says, in a Memorandum to the Prince of Kung, the head of the Foreign Board at Peking :—

“Sir Frederick Bruce did not look for any extraordinary demonstration of gratitude for these services, but he had hoped that the Central Government would at least have insisted on the faithful observance of the Treaty at the ports. He had hoped, also, that it would have addressed itself with some increase of vigour to the organization of a competent Executive.

“These expectations have not been realized. At several of the ports the treaty is daily broken, in matters great and small ; and the Central Government, if not unwilling, shows itself unable to enforce a better order of things. The orders sent by the Foreign Board, when Sir F. Bruce complains, are not carried out, either because the local authorities do not stand in awe of the Foreign Board, or because they do not believe the Foreign Board issues them in earnest. This has been notably the case as regards the treatment of Mr. Caine, her Majesty’s consul at Swatow, and the surcharge of duties at Ningpo, Shanghai, and Hankow. At the latter port, especially, the authorities persist in an entire disregard of the transit-duty clauses.

“Questions of this sort have been again and again brought forward by Sir F. Bruce. The Foreign Board has gone through the form of issuing instructions thereupon, but the causes of complaint remain as they were, either because the local authorities do not fear, or because the Foreign Board does not care. Seeing that none of the authorities whose conduct has been complained of have been punished or removed ; that officials notoriously hostile to foreigners have

* Parliamentary Papers, China, No. 6 (1864). Despatch of Sir Frederick Bruce to Earl Russell, dated Peking, June 12th, 1863.

[Vol. XCIII. No. CLXXXIII.]—NEW SERIES, Vol. XXXVII. No. I. O

been appointed to places in which they have increased opportunity of indulging their anti-foreign tendencies, while in two or three instances, as at Canton, Newchwang, and Foochow, officials of friendly dispositions have been withdrawn; Sir F. Bruce is induced, however reluctantly, to infer that if the Imperial Government be not adverse to foreign intercourse, it is, at all events, indisposed to do what is necessary to teach the people and local authorities that China is sincerely desirous of friendly relations with foreign powers.

* * * * *

"Some such protection, the Prince may be satisfied, is indispensable, whatever may be the reports of the efficiency and success of Hu-nan or Chao-chow contingents. Sir F. Bruce warns his Imperial Highness that these statements are untrue. The men brought by the Governor Li to Shanghai cannot face the rebels, and are invariably defeated unless supported by foreign troops, or by Chinese disciplined by foreign officers.

"Sir F. Bruce was present when Shanghai was attacked by the rebels in 1860, and was a witness to the helpless cowardice of the authorities, and the total inefficiency of their troops, the rebels having been driven off solely by the exertions of the allied force. He read in the Gazette the memorial presented to the throne on that occasion, and which purported to give an account of what had taken place. He perfectly understands, from its perusal, why it is that rebellion and anarchy rage throughout the land, and why the Imperial Government hesitates to adopt the improvements required for its salvation; for he sees that it is systematically and habitually deceived as to the real condition of affairs by the officers charged with the Provincial administration." *

Such is the picture of incapacity, misrule, and hostility to foreigners against which Sir F. Bruce protests to the Prince of Kung in language almost unmeasured, and we can scarcely doubt that the bureaux of the Foreign Office in London are laden with similar testimony. Now, why Lord Clarendon should have imagined that all this had changed, and that the Chinese were entering on a course of progress, and were entitled to forbearance in so far that they were to be left perfectly free to decide the time and manner of introducing changes without the exercise of pressure on the part of foreign Governments, we are utterly at a loss to determine. And how he could have been content, as the equivalent of important concessions, with the stipulation that he would expect the Chinese Government faithfully to observe their Treaty engagements, when there was no reason to hope that they would do so, is to us incomprehensible. But in case it may be

* Parliamentary Papers, China, No. 6 (1864). Memorandum of the substance of observations addressed to the Prince of Kung by Sir F. Bruce, on the 5th June, 1863.

thought that Sir F. Bruce's evidence is of too old date to be accepted as conclusive, we shall quote the statements of Sir Rutherford Alcock as late as February 5, 1869 :—

“ At the same time I deemed it right to point out to His Highness [the Prince of Kung], for the information of the Emperor and his Council, that however I might deplore any action which had led to a serious loss of life, the chief blame, if not all the responsibility, rested on those who, by a persistent violation of Treaties, repeated acts of violence, and denial of justice, making life and property insecure, had rendered a collision almost inevitable; and that the real authors of this regrettable occurrence were the high officers of Fukien and Chekiang, in not carrying out their instructions received from the Yamén to remove the Taoutae and afford redress.

* * * * *

“ The charge against the local authorities can be fully sustained by evidence of violence and injustice of the most flagrant character on the part of the Chinese officials, which the last nine months preceding has continuously supplied; and, in addition, it will be easy to show that, whatever may be the desire of the two Governments to live in peace and maintain none but the most friendly relations with each other, such results are not possible if the provincial authorities are allowed not only systematically to violate the most important of Treaty rights, and palpably connive at acts of spoliation and murder, such as have characterized the course of affairs at Formosa almost from the beginning, and with increasing frequency and atrocity during the past year, but to disregard the orders sent to them from Peking after engagements have been entered into with a foreign minister. It is, in truth, clear that the Central Government must find means to compel a greater respect for their own orders on the part of their local authorities throughout the provinces, wherever foreigners are found, or foreign Powers will be driven to one of two alternatives in self-defence. They must either devise such local means of pressure as shall control and coerce malfaisant and corrupt officials into good behaviour, or hold the Imperial Government responsible for unredressed wrongs at the ports and elsewhere in a much more direct and stringent manner than has as yet been the practice as a general rule.

* * * * *

“ Hitherto the course of affairs has been only too truly described by the memorialists from the ports. When any wrong or injustice is suffered by a foreigner, for which there is no appeal to a public Court of Justice and a written code of laws—if the Chinese local authorities are not moved, as is too often the case, by the Consul's representations—the only recourse is a reference to the Minister at Peking; and then commences an interminable series of references backwards and forwards—a see-saw of correspondence on both sides between the ports and the capital, and no final solution is ever arrived at. It may safely be affirmed that such is the common experience of all the foreign representatives. I am assured there is no one of these who cannot

point to numerous cases which have been so treated for a succession of years, despite their best efforts to secure a better result."*

From the above we are justified in inferring that the reciprocity which Lord Clarendon desires cannot possibly exist. Whatever the wishes or expectations of the British Government may be, we demand whether it is just, whether it is reasonable, to recklessly imperil one of the leading branches of British commerce, and to endanger the present position of British residents in China and their lives and property, by needlessly entering into engagements which have been condemned in advance by every British official who has ever resided in China. Is it wise in Lord Clarendon to expect a fulfilment of Treaty engagements by China entirely of its own free will, when it is proved that even with the power of the Minister to call for the assistance of the fleet, we have not been able during the last nine years to obtain or compel any such observance on its part? Indeed, about the very time that Lord Clarendon and Mr. Burlingame were interchanging diplomatic civilities in Downing Street, two of our fellow-countrymen were barbarously assaulted and almost murdered at Banca, with the undoubted connivance of the local authorities; and both there and at Taiwan the local Mandarins were openly setting the Treaty at defiance, and not only refusing protection to life and property, but conniving at, if not eagerly encouraging acts of spoliation and deliberate murder.† This is no unsupported assertion, nor is the information derived from inaccessible sources. The diplomatic correspondence for 1869 relating to China contains ample evidence of the unsoundness of Lord Clarendon's present position, and of the inapplicability of his policy on those points where he has made innovations.

• But there are other promises held out to the British public including the Houses of Parliament, and they also are delusive. The present writer has had considerable intercourse with many of Mr. Burlingame's best friends in China, and he does not emphasize the circumstances when he says that he has failed to find a single person prepared to offer any defence of that gentle-

* Parliamentary Papers, China, No. 3 (1869), pp. 35, 37. Despatch of Sir R. Alcock to Lord Stanley, dated Peking, February 5, 1869. Intelligence of the change of Ministry had not at that time reached Peking, but the above despatch, nevertheless, condemns by anticipation in a perfectly unanswerable manner, the whole policy subsequently agreed on between Lord Clarendon and Mr. Burlingame. Sir Rutherford, unfortunately, has nothing to rely upon but the unimpeachable veracity of his facts and the indisputable soundness of his conclusions; while Lord Clarendon, the master of forty legions, commands, but does not condescend to reason.

† See Parliamentary Papers, China, Nos. 3 and 6 (1869). Proceedings at Taiwan and at Banca.

man's representations ; while the most that has been alleged in his favour is, that he has been in some measure carried away by his peculiarly enthusiastic temperament. When it is further considered that Mr. Burlingame's policy, as developed in the United States, was a complete surprise to the Chinese Government, and the foreign supporters of the Mission at Peking, it will be seen how little weight ought to be attached to the views he expressed. But Lord Clarendon is apparently satisfied with the opportunity he has had of sweeping down on everything and everybody in China, and doubtless he imagines that his policy is impregnable. Mr. Burlingame has indicated the certain reward which is to be reaped from it, and it is one particularly tempting to the present Government. He says :—"The explicit manner in which your Lordship expressed yourself upon this point, not only in the conversation of the 26th, but in that of to-day, will give great satisfaction to the Chinese Government. This policy acted upon, will make wars with China impossible, or they will not occur without sufficient cause, and only after mature deliberation."* If there was the slightest reason for believing that Mr. Burlingame was not diplomatizing with the Governments of the United States and Great Britain entirely on his own account, and without any express instructions from the Chinese Government, we might approve of the self-satisfied air with which Lord Clarendon apprises Sir Rutherford Alcock of his diplomatic triumphs. He writes—"In the conversation which I had with him [Mr. Burlingame] on that occasion, he said that he had called in order personally to express his satisfaction with my letter of the 28th of December, which he was convinced would have the happiest results in China."† Singular as it may seem, we believe this to be quite unfounded. Foreigners are completely dissatisfied ; and as to the effect produced upon the Peking Government, we have it on the highest authority that "the Chinese [Government] are becoming very sensitive as to the way they are getting bound up (and hampered, as they think) by the various treaties they have signed, and the singular obligations and privileges deduced from their provisions by extra-territorial peoples."‡ When the Chinese Ambassador and the British Foreign Secretary therefore congratulate each other that henceforth wars will be impossible, or nearly so, we confess we are amazed. We can but insist that, however

* Parliamentary Papers, China, No. 1 (1869). 'Despatch of Mr. Burlingame to the Earl of Clarendon, dated London, January 1st, 1869.

† Parliamentary Papers, China, No. 1 (1869). Despatch of the Earl of Clarendon to Sir R. Alcock, dated January 13th, 1869.

‡ Extract from a private letter from one of the leading foreigners resident at Peking, under date of September 15th, 1869.

accordant with the wishes of the present Government it may be to believe that they have cut the Gordian knot over which previous administrations had long and anxiously puzzled, and have put an end to wars with China, it is an assumption contrary to the inferences from all past experience in the empire itself. We may confidently assert that not only are wars with China for the future not impossible, but that the whole of Lord Clarendon's policy, as expounded in the ample diplomatic correspondence for 1869, just in proportion as it provides for changes, is pregnant with the elements of future disaster. The mistaken leniency of the United States and Great Britain towards China has had the reverse of a satisfactory effect, unless these two Powers are content to co-operate in retrogression. The Austrian Treaty just concluded at Peking has been obtained from the Chinese with difficulty; and so far from their being thankful for the concessions made by Great Britain and the United States, and more favourably disposed to foreigners and foreign intercourse in consequence, they have been emboldened by the apparent pusillanimity of our voluntary concessions to offer so much opposition to the Austrians, that their Treaty is more limited in rights and privileges than any one that has been concluded since the Treaty of Tientsin.

So far from wars being for the future impossible, the British Government have adopted the very means for making them inevitable. However beneficent their intentions may be, they cannot alter the mind of at least the ruling classes in China from being actively hostile to foreign intercourse. Its concessions have undoubtedly given an impetus to the anti-foreign feeling; and we may be perfectly certain that, with the inordinate national pride of the Chinese, they regard our yielding at all as the result of our fear of their returning strength. If it be alleged that such an idea is preposterous, we can only reply that it does seem so in Europe, but is in perfect accord with the Chinese character, as abundantly seen in China itself, and amply illustrated even in the records of our own diplomacy. There is no Chinaman that "breathes with soul so dead" as not to believe his native land to be the supreme empire of the earth, favoured of the gods, and, until recently, receiving the humble homage of the whole external and tributary world. If it is imagined that the Chinese belong to the class of unsophisticated semi-barbarians, who, once conquered or humiliated, begin rapidly to assimilate with the superior civilization exhibited to them, it is an entire misconception. This remarkable nation has not maintained an individual and territorial existence for more than two thousand years without developing and preserving characteristics that account for its longevity. The unlimited sway of custom,

and the perpetual efforts to reproduce the past, have saved the empire from destruction or even transformation, in spite of the attrition of ages; and to-day we see the Chinese race perhaps the least changed in political organization and physical type of any nation since the dawn of history. Even now, to conform to the regulations of Confucius, and to attain to the conspicuous pre-eminence which the empire formerly possessed, at least in Asia, are the aims of Chinese statesmanship. Every intelligent person in England doubtless feels that in a few hours he could convince the Chinese of the inferiority of their political system and civilization generally, and so thought we before we had seen the Chinese and their system, the perfect stability and stagnation of the native mind, and the immovable tenacity with which, as if by instinct, they cling to old traditions, and to a revival of the past, by a faithful observance of the customs of their ancestors. To withdraw from such a people the pressure which favours progress is to assist them in a return to the exclusive system and the domineering pride which, in half a century of active intercourse, we have only to a small extent succeeded in breaking in upon. To allow them to feel that they can relapse into their former ways is to court the complications and irregularities which render wars inevitable rather than impossible.

But there are two other considerations raised by Lord Clarendon which increase the chances of war with China, namely, the withdrawal of the power from the Minister at Peking of using vessels of war for purposes of intimidation or for hostile operations, except for the immediate protection of life and property; and the recognition of the Central Government alone as the sole responsible power for the eighteen provinces. In the opinions which we have quoted of Sir Frederick Bruce and Sir Rutherford Alcock, both these questions are considered in connexion with facts with which it came within their province to deal. Both show that it is only by perpetual protest and pressure at Peking that intercourse can be carried on at all, and also that the Chinese Government, with all this pressure, has never yet even approximated to a satisfactory fulfilment of their Treaty obligations. If we complain of this, it is not without a feeling of sympathy for the unfortunate weakness and incapacity of the Chinese authorities: but we complain of it to show that they cannot be left to themselves to regulate their intercourse with foreigners, that the adoption of a policy of reciprocity is impracticable. Foreign governments are interested in continuing in the Chinese mind fear of their superior power, and a feeling of certainty that Treaty obligations will be rigidly enforced. For this purpose it is necessary that the British Minister at Peking should appear before the Mandarins as a Plenipotentiary

—a person entrusted with full powers to deal with all questions as they arise; to employ all peaceful means of obtaining redress on emergencies; but empowered to proceed to hostilities if the circumstances warrant or demand such a step. Under Lord Clarendon's arrangement, unless there is immediate and positive danger to life or property, no vessels of war can be used to overawe or coerce. If murder has been committed, if spoliation of goods or property has taken place, if every Treaty right has been violated and redress refused, the Minister at Peking is powerless. All that he can do is to place himself in the undignified position of protesting and demanding, while the Chinese know that his Government have not sufficient confidence in him to empower him to act. He must then refer the case to the Home Government, and it will rest with them to institute hostile proceedings at least many months after the events have taken place, and probably after the question in issue shall have passed through completely new phases demanding fresh references to London.

It is difficult to see how wars are to be avoided on this system. It offers ample opportunities for prevarication and delay on the part of the Chinese; and it will force the Home Government, on every occasion in which a clear case is referred to them by their Representative at Peking, to the necessity of declaring war against China. Every failure to obtain redress by a Minister who has been deliberately and purposely shorn of his *prestige* in the eyes of semi-civilized rulers, will necessarily become a *casus belli* when placed before our Government, whereas, if left entirely in the hands of the Minister, a demonstration of force brought to bear on the offending provincial authorities will almost infallibly restore tranquillity and the most friendly relations, without compromising ourselves with the Central Government, and without inflicting the slightest injury on the provincial authorities. Lord Clarendon has provided for the faithful observance of the Treaty, at least with Mr. Burlingame, and we shall now examine what would have been his position if the outrages at Taiwan and Banca, and the utter disregard of all Treaty provisions manifested there, had been reported to him for instructions as to the manner in which redress was to be obtained. The Peking Government had sent instructions to the authorities in terms of an arrangement come to with Sir Rutherford Alcock, but no attention was paid to them. If, in such a case, the Minister, seeing that his negotiations were fruitless, had submitted to the Home Government that at Taiwan and Banca the Treaty was set at nought, murder of British subjects had been attempted, and property had been destroyed, with the knowledge of the local authorities, we cannot see that Lord Clarendon could have done otherwise than have recommended war. So long as the question was in the hands of the Minister,

it was one for negotiation; but the moment redress becomes hopeless and the case is referred to London, the question becomes international, and the honour of the British nation demands vindication by an appeal to arms. And further, since Lord Clarendon has determined to recognise only the Central Government, a question which the Minister would have decided by the visit, probably, of a single gunboat to the scene of the troubles, involves us in a declaration of war against the Peking Government and the Empire generally.

The new policy of Lord Clarendon will, we are convinced, fail in any case where it is fairly tried. If any emergency should occur in China which cannot be arranged without the intervention of the fleet, and which, under the policy hitherto followed, would have been met by the Minister armed with powers to call the services of men-of-war to his support, the Home Government when referred to will be placed in the position of either having to declare war, or of falling back on their old policy of leaving the Minister at Peking to settle the matter, with such assistance from the fleet as he may deem necessary. It is abundantly evident to us that the latter alternative will be adopted in practice. At the last moment the British Government will refuse to declare war against China, when their own Representative at Peking can avoid such a formidable undertaking by a simple demonstration of force or some trifling act of hostilities. Instead of danger from the power so placed in the hands of the Minister, it really enables us to obtain all that we should go to war for, without, as must be manifest on investigation, almost the least risk of involving ourselves in serious liabilities, and with the perfect certainty of satisfactory relations as the result. The Home Government cannot afford to raise every petty difficulty or trouble that may occur in China into the dignity of a national question, any more than suitors can afford to bring every county court case before the House of Lords. It ought to suffice that our Minister is on the spot, acting in a responsible manner, and only proceeding to hostile demonstrations or acts when the inability or unwillingness of the Central Government to grant redress is clear and palpable. In most cases we should be able to obtain the consent of the Peking Government to the granting of redress, and then all that we should really have to do would be to send a gunboat or other vessels of war to see that the local authorities fulfilled the instructions of the Peking Government; or, failing this redress, we should then have to insist on it by force. In this manner we gain our object more quietly and effectively than would be possible under a system of reference to London; and, keeping the power in the hands of the Minister, we strengthen him in negotiations that will often avert the need even for demonstration.

If the British Government, however, are determined to uphold their new policy, we respectfully submit that there has not been a time in the last eight years when there were not enough unredressed grievances in the hands of the British Minister to have warranted the latter in sending home an ultimatum of his having failed to obtain redress ; so that if this policy is to be anything more than an empty form, war is inevitable within a limited period. But events will prove its inapplicability, and it is not improbable that even now the British Government have had sufficient experience of it to show them the necessity for its abandonment.

We have said enough incidentally on the question of elevating the Peking Government into the sole authority in China to show that on this question the Home Government is under a misconception as to the power and province of the Peking Government. The universal prevalence of corruption among the officials of the Empire as a known necessity, in consequence of the miserably small salaries they receive, is an insurmountable obstacle to just administration and to adequate control by the Central authorities. The provincial officials are in a great measure independent of them, and naturally so, when we consider the vast extent and unwieldy nature of the Chinese Empire. In truth, this provincial independence is not something that requires to be demonstrated : it is a first principle of statical equilibrium in an Empire such as that of China. Any attempt at highly organized and centralized government by semi-civilized rulers is an impossibility, except for a brief period. Provincial independence and self-government to a considerable extent by the people account for the permanence, such as it is, of Chinese institutions. If, however, proof were wanting of the peculiar relations of the provincial administrations to the Peking Government, it would readily be found in the whole history of our diplomatic relations with the Empire. But in no case has this been more clearly exhibited than in that of the Lay-Osborn fleet, the real obstacle having been Captain Osborn's refusal to place himself under the orders of the Governor of the two Kiang.* However strange it may seem, the wars in which we have been ourselves engaged with China have in reality been conducted against the power of the local authorities into whose provinces we have carried our arms. The task of subduing rebellion is also one that falls to the lot of the authorities of the provinces in which the rebels are carrying on their operations. While we were engaged in hostilities against Canton in 1856-57, and were, according to all our preconceived ideas, contending

* The question is amply illustrated in the "Lay-Osborn Fleet Papers," China, No. 2 (1864) ; and also in the correspondence regarding Lieutenant-Colonel Gordon's position in the Chinese service, China, No. 7 (1864).

against the Empire, our fellow-countrymen were living at the other open ports quite unmolested, with scarcely an idea of insecurity resulting from what seemed to us to be, for the Chinese nation, a deadly struggle. Moreover, war with China might, with considerable accuracy, be considered a provincial rather than a national concern; and at least a fuller investigation of the subject than we have space to give will reveal many reasons which render it desirable not to abandon our hold on the Provincial administrations.

It would be an error to suppose that there is in China any very strong national feeling in the sense usually ascribed to the word nationality. National feeling is a thing which is not understood—patriotism is a plant which we look for in vain on the plains of the Middle Kingdom, and consequently, arguments drawn from considerations of outrage to the feelings of the nation or of impeachment of its honour and good faith, are of extremely slight significance. The indifference of the Chinese to many considerations which are regarded as of the highest moment in the West, is almost incredible to those who have not witnessed it. This is one of the main reasons why, under the system of dealing with them which has hitherto been pursued, there was very slender danger of acts of forcible redress leading to war. There is a deep-seated national prejudice against any one interfering with what concerns another, even to the well-known fact that one Chinaman will often abstain from assisting another in the water and in danger of being drowned, because it is not his business. In like manner, if war or rebellion is raging in one province, the tendency of the officials of other provinces is to rest satisfied under the feeling that it is not within their territory, and is therefore no concern of theirs; and this manner of looking at things is undoubtedly shared in to some extent by the Peking Government, who hold the provincial authorities responsible for the maintenance of tranquillity within the limits of their respective jurisdictions.

We have left ourselves but little space to examine the particular cases in China the management of which has called forth Lord Clarendon's graduated censure; but as we agree to some extent in disapproving of the measures taken, we are anxious to show that, with one exception, all the cases that meet with the condemnation of the Home Government, violate what we regard as the only sound principle on which our relations with China can be satisfactorily based. We have no sympathy with the efforts that have been made in China to justify acts that were indefensible, mainly on the ground that the Chinese authorities were the better of an occasional humbling; because we are entirely opposed to any loose interpretation of, or departure from,

the clear rules of action to be observed under the special and anomalous jurisdiction of the British Minister at Peking.

But believing as we do, that in the hands of our Minister ought to be placed the power of settling all questions that arise, and if necessary, by hostile demonstration or actual resort to force, and in the hands of the consular officers should rest the liberty of calling for the assistance of the naval authorities only in case of immediate danger to life and property, and when the circumstances are too pressing to await a reference to Peking, we shall now make a few brief observations on the cases that have lately occurred in China, as judged by this principle of action. The details are too uninteresting to our readers after such a lapse of time, and we shall therefore content ourselves with recording conclusions. In the proceedings that resulted from the outrage on missionaries at Yang-Chow, there is not an important step which was taken that we regard as undeserving of approval. The whole case was conducted by Mr. Medhurst, Sir R. Alcock, and the officers of the navy, in the most regular and unobjectionable manner, and the result was precisely what we might have anticipated: the most complete redress and the establishment of most friendly relations. The demonstration of force, in the shape of a few vessels of war, was sufficient for us to obtain justice, and more we did not wish. But not a shot was fired, nor was the slightest injury inflicted upon any one. Without the demonstration of force redress was refused, and, we are certain, would not have been obtained.

The next case to which we wish to refer is that of the proceedings at Taiwan in Formosa. In a despatch* from Mr. Acting Consul Gibson, to Tseng Taoutae, of Amoy, dated Taiwan, November 18th, 1868, perhaps the largest number of grievances are recorded that have ever been suffered to accumulate at any port. There are insults, assaults, violations of treaty, planting an ambuscade for purposes of murder, spreading malicious and mendacious reports, shooting at British subjects, illegal confiscation of property, &c., placed directly to the charge of the local authorities, and it is clear that it was not only humiliating to the British government to have its representative and its treaty rights thus contemptuously disregarded for many months, in spite of the repeated assurances of the Peking Government that it had instructed the proper local authorities to inquire into the matter and grant redress; but the foreign residents were all the time living in actual danger to their lives. The Taoutae of Amoy, above referred to, had been sent over to Formosa by the Viceroy of Fukien to arrange matters, and it was on finding that this personage treated the whole question with the utmost levity,

* Parliamentary Papers, China, No. 3 (1869), pp. 40, 43.

and gave notice of his intention to return immediately to the mainland, without having removed any of the local officials, or granted the slightest redress, that Mr. Gibson decided that the emergency was too grave for inaction, and accordingly called on Lieutenant Gurdon, of the *Algerine*, to make reprisals. The effect was instantaneous. The Taoutae of Amoy produced his powers to remove the local officers, and everything that justice demanded was freely granted.

We admit that Mr. Gibson's conduct was objectionable, that the state of affairs was not so desperate as to warrant him in adopting such a precipitate course. At the same time we cannot well estimate the circumstances in which he was placed ; as, to be able to judge fairly, it would have been necessary for us to have been in Taiwan at the time, and felt the position of the few British residents, surrounded for months with perpetual menace, and, in consequence of the opposition of the Chinese Government to telegraphic lines, at two months' distance from the British Minister at Peking. However, on the broad principle that consular officers must be prepared to justify their conduct in proceeding to hostilities on their own responsibility, we condemn Mr. Gibson's proceedings ; although we are at the same time convinced that there existed extenuating circumstances which should have been considered as partial palliation, at least in the retrospect. It is, we have little doubt, certain that Mr. Gibson knew that Mr. Consul Swinhoe was on his way to Taiwan, empowered by Sir Rutherford Alcock to insist on redress ; but we must make some allowance for the increased danger to British residents which would have been produced, if the Taoutae of Amoy had been permitted to leave Formosa, having approved of the action of the local authorities. It is, on the other hand, fortunate for Mr. Swinhoe that he did not arrive at Taiwan with the vessels of war which were ordered to his assistance ; as, even if he had succeeded in gaining everything he wanted by a mere demonstration of force, and without any resort to hostile measures, he would, it appears, have rendered himself obnoxious to censure. But condemning as we do the policy of the latter, we maintain that Mr. Gibson did what was required in the circumstances, only unfortunately for him, Mr. Swinhoe, and not he, was the proper officer to have taken action. We cannot however pass over Lord Clarendon's despatch on this subject without placing on record the extraordinary disproportionably severe censure he awards to Mr. Gibson. If Mr. Gibson was carried away by the excitement attending the crisis which the troubles had reached in consequence of the threatened departure of the Taoutae of Amoy, we cannot help thinking the error of judgment he fell into was hardly deserving of the harsh language in which Lord Clarendon penned his official opinion of

it. The Foreign Secretary had not received any direct communication from either Mr. Gibson or Sir Rutherford Alcock ; but, with the copy of a letter from the former to the latter before him, he wrote to Sir Rutherford Alcock as follows : *—

“Rash and inexcusable as Mr. Gibson’s proceedings would, under any circumstances, have been, they would be doubly so if your despatch was in his hands when, on the 20th of November, he called upon the lieutenant commanding her Majesty’s gun vessel *Algerine*, to make reprisals by seizing and holding Fort Zelandia and the town of Amping. . . . The Board of Admiralty will of course deal with their own officers ; but as regards Mr. Gibson, I have to instruct you to convey to him my unqualified disapproval of his conduct, whether acting without having received your instructions of the 29th of October, or in neglect of them.

“It is quite clear that Mr. Gibson is wholly unfit to be entrusted with any discretionary power, or to be placed in any other than a situation where he will be constantly under the superintendence and control of a superior Consular officer on the spot. His proper office is that of interpreter, and you will be careful not to place under his charge the superintendence, even temporary, of a consulate, or a vice-consulate, for the duties of which judgment, tact, discretion, and moderation are essential requisites.

“I need scarcely say, that under no circumstances must he be allowed to remain in Formosa ; and I only hope that the judgment thus passed on his conduct will produce a salutary impression throughout the Consular service in China, and serve as a warning to all persons employed in it, that Her Majesty’s Government will visit with the severest condemnation acts of violence wantonly undertaken and carried out without the express sanction of Her Majesty’s Government.”

Regarding the outrage of Banca, of which we have already made mention, and the general disregard of Treaty provisions, redress was only obtained after the United States gunboat *Aroostook* and the British gunboat *Janus* arrived in the harbour, the local authorities being aware that Mr. Acting Vice-Consul Holt, finding himself in the midst of danger helpless and defenceless, had sent for a gunboat. Thus Mr. Holt obtained redress for attempted murder of two British subjects without requiring to proceed to hostilities, and Lord Clarendon approves of his conduct, but intimates at the same time that as danger to life was over, the two men not having died of their injuries, and the natives not having had an opportunity of attacking any one else in the meantime, any use of force would have led to his also being made to serve as a warning to others. But to this we offer the strongest objection. Until redress was really obtained, the danger to life continued, and Mr. Holt’s clear duty was to

* Parliamentary Papers, China, No. 3 (1869), p. 22. Despatch of the Earl of Clarendon to Sir R. Alcock, dated February 23rd, 1869.

take such steps as would prevent an immediate recurrence of any such outrage, the responsibility of such measures resting on the local authorities who refused the protection, as well as the redress to which he was undoubtedly entitled. The circumstances were too urgent to await a reference to Peking, and we can hardly doubt that Mr. Holt would have called on the commander of the *Janus* to act, if the local authorities had continued to refuse redress. Murder had been undoubtedly attempted with the connivance of the local authorities; and, as the latter had naturally taken no notice of it, and the hostile party were virtually in possession of the place, there was not the least security that murder would not be committed at any moment. In such circumstances, when the local authorities are satisfied to accept the responsibility of refusing to protect the lives of our fellow-countrymen, we cannot see that a Consular officer is warranted in waiting for some one to be murdered before he provides security for life which is openly menaced. We think that every allowance should be made for Chinese officials in their habitual violation of the Treaty; but their positive refusal or neglect to provide against preventable outrage by their own countrymen is so inexcusable, that it warrants Consular officers in adopting the necessary measures of hostility which cannot be delayed till reference is made to Peking.

As to the proceedings* of Commodore Jones near Swatow, we cannot think that he was justified in commencing hostilities without instructions—indeed contrary to them; seeing that Vice-Admiral Sir Henry Keppel and the Commissioner of the Governor of the two Kwang provinces were, as he knew, on the way, within a few hours' sail of Swatow; and that nothing but the most extraordinary circumstances could have justified him in anticipating action which, from every point of view, it was their duty alone to undertake.

Passing on to the next document† we find that Sir Rutherford Alcock, writing to Mr. Consul Caine, under date of January 12th, 1869, long before the former heard of the change of Ministry or the promulgation of the Clarendonian policy, expresses himself as follows:—

“It should be possible in ordinary circumstances for Her Majesty's Consuls to conduct the business of their respective Consulates without the material support which might be afforded by the constant presence of a ship-of-war, otherwise there can be little advantage in a Treaty of Amity and Commerce. As an appeal to force by a Consul at any time could only be justified by some great emergency threatening danger to life and property, and for their protection, it may fairly be assumed that such occasions are exceptional, and can only arise at long intervals. To meet such exceptional occasions it cannot be necessary to attach to

*Parliamentary Papers, China, No. 7 (1869). †1bid., China, No. 8 (1869).

each port a ship-of-war. That a force shall be always in the China seas capable of affording effective aid whenever there should be a necessity for an appeal from the Consuls, is all that can be looked for under existing relations."

Nothing can be more reasonable than the above admirable exposition of the conditions under which alone force may be resorted to by Consuls, and it exhibits clearly that Sir R. Alcock entertained the most unexceptionable views as to the proper policy to be pursued by the British Government in China.

Regarding the proceedings of the *Janus* at Sharp Peak Island, near Foochow, and the part taken in them by Mr. Consul Sinclair and Lieutenant and Commander Keppel, we think, notwithstanding the contrary opinion expressed by the British residents at Foochow, that they were indefensible. There was no immediate necessity for interference; the case was an individual one, and was no manifestation of wide-spread and threatening dangers; and therefore, on failure with the local authorities, the proper course would have been to submit the whole circumstances to our Minister at Peking.

We have thus pointed out the bearing of the leading recent cases in which British officials have threatened, or proceeded to, hostilities. We disapprove of all those which meet with Lord Clarendon's censure, although in a different spirit, with the single exception of the proceedings undertaken on account of the Yang-Chow outrage; but we regard all these occurrences as demonstrating that numerous cases have arisen in which it was necessary that the Minister should authorize a resort to hostilities if the mere presence of vessels of war failed to induce the local authorities to grant redress. In any urgent case, such as that at Taiwan or Banca, for the Minister to abstain from threatening or applying force until he could refer to London where the action must be taken on the information he sends; would be altogether inexcusable. If there is a capable Minister at Peking, surely he can be entrusted to act on his own responsibility; and if permission so to act is withheld from him, then we distrust the policy from which the refusal of reasonable powers proceeds. Such restricted powers are not in accordance with either the duties or interests of the British people, neither do they meet the fair claims of British residents in China.

There are two questions that have lately received some attention in China to which we may refer briefly in conclusion. The first is as to whether or not Mr. Burlingame's credentials from China to Great Britain, and we presume to the United States, are properly rendered in the English version. They have been impugned on very strong grounds, and a translation* by another hand places their contents in a very different light. According

* The *North China Herald* of 12th October, 1869.

to the latter, the Emperor of China is made to assert his Heaven-derived claim to universal sway over China and the other nations of the earth, and to announce that as he is considerably mindful of the lesser States (Great Britain, United States, France, &c.), he sends three competent officers to consolidate friendship, and to explain whatever may be in need of explanation. In the official translation no offensive pretension whatever is assumed by the Emperor to sway over other nations, and Mr. Burlingame is named High Minister Extraordinary and Plenipotentiary, whereas the other translation makes him only one of three, the two Chinese being apparently regarded as of most importance, but none of them being invested with any powers. The question is an important one as bearing on the attitude in which the Emperor and his advisers choose to place themselves with regard to the Foreign Powers, and also on Mr. Burlingame's pretensions; and, as the question of the accuracy of the translation is still undecided, although we regard the presumption as strongly in favour of the unofficial translation, we cannot express any final judgment in the matter. The second question is the rumoured refusal of the Peking Government to ratify the Treaty Mr. Burlingame entered into with the United States. Two points are beyond doubt certain, that the United States' Government expected immediate ratification when their representative at Peking applied for it several months ago; and that the Peking Government refused to accede to immediate ratification on that occasion. One other fact is undoubted, namely, that the Chinese are dissatisfied with the position of inferiority accorded to them in the United States' Treaty; and, as there are further objections on the part of the Chinese to the stipulations, the probability is that the delay they have spoken of until the return of the Mission, is not a delay for the purpose of ratifying the Treaty, but a delay in their refusal of ratification. The question will, however, remain undetermined until the Mission does return.

Whatever our wishes or our hopes may be, the China with which we have to deal is still in a great measure the conceited, secluded, indifferent China which we have been endeavouring to modify for half a century. The pride of race and the belief in the barbarism of the outer world are much the same as they were formerly, much as they are represented in a rescript of the Emperor Hien-Fung as late as 1859, on the occasion of the official visit to Peking of Mr. Ward, U.S. Minister to China. He says:*

"What this foreigner (Ward) remarks, that he respects the Great Emperor as much as he does that President (a contemptuous way of

* Quoted by Mr. J. Ross Brown, U.S. Minister at Peking, in his "Reply," of 12th July, 1869, to Addresses from the American and British Residents at Shanghai. This reply is one of the ablest expositions of the political situation in China that has ever been written.

[Vol. XCIII. No. CLXXXIII.]—NEW SERIES, Vol. XXXVII. No. I. P

referring to the President of the United States), is nothing less than to class the Middle Kingdom with barbarous tribes. *Such wild exaltation of himself can only be relegated to subjects which make one laugh.*"

In ten years we have not revolutionized the Chinese mind, so that the task of dispelling ignorance and diffusing knowledge still remains to be accomplished. Whatever the enthusiastic may proclaim and the credulous believe, progress in any worthy sense of the term remains unappreciated, its meaning is still an enigma, its results incomprehended and uncared for. The labours of the missionaries have scarcely as yet touched the outer edge of this compact mass of three hundred millions of people, and the civilizing influences of commerce belong as yet rather to the region of shadow than of substance. But we have duties attendant on our superior civilization, which we owe both to the Chinese rulers and people. To the rulers are due our utmost efforts towards enlightening them and improving their methods of governing; to the people, as the *raison d'être* of the rulers, we owe all the assistance that we can give towards their intellectual, moral, and material wellbeing.

If such are our duties, and we desire to fulfil them, there is nothing left for us but to maintain that judicious moral pressure at Peking which we have been exercising with beneficial results for the last nine years. That the Chinese Government are intelligently convinced of the advantages of progress, and spontaneously desirous to appropriate the inventions and appliances of the West, is such an utter misconception that, in the language of the Emperor Hien-Fung, it "can only be relegated to subjects which make one laugh." Under such unfortunate circumstances of persistent seclusion and of active hostility to foreign intercourse which we witness at many of the ports, we can only avoid war by maintaining our undoubted Treaty rights by force when necessary; and the Minister at Peking must be empowered to authorize such unavoidable resort to hostilities. We cannot see any injustice in assuring the Peking Government that so long as the local authorities give proper protection to life and property, and suppress attempts at outrage on the part of their subjects, no forcible measures will be adopted towards these local authorities. Neither can we see any injustice in assuring them that if the local authorities refuse protection to life and property, connive at attempted murder, flagrantly violate Treaty stipulations, insult and ignore the representatives of Her Majesty at the ports, entirely disregard the instructions of the Peking Government itself, and refuse to grant any redress whatever, that then they forfeit all claim to forbearance, and that no course is left becoming the dignity of a civilized power but to resort to hostilities either through the Consul or the Minister, according to the greater or less urgency of the circumstances.—JAMES BARR ROBERTSON.

ART. VII.—AMERICAN CLAIMS ON ENGLAND.

THE writer of this article having recently visited the United States, and enjoyed the privilege of conversing on a footing of intimacy with American citizens of every profession and position, from Maine to Virginia, and from New York to San Francisco, has gathered many valuable particulars bearing on the dispute with regard to the *Alabama* claims. What passed in the course of all or any of these conversations it would be discourteous and unpardonable to state in detail. But it involves no breach of private confidence, nor can it fairly be termed a work of pure supererogation, to examine the whole subject in the light of the information thus acquired. There are few who would not rejoice if, through the greater diffusion of knowledge, any practical suggestions could be made for a settlement of this painful controversy. The English people are bewildered as to what the Americans desire. By the Americans this bewilderment is mistaken for reluctance to do them justice. Both nations are the victims of a mutual misunderstanding. No valid and lasting settlement of their differences, can be made until the whole case shall have been distinctly stated and dispassionately considered.

President Grant's message to Congress contains an explicit declaration of his opinion with regard to the claims made by America. Approving of the rejection of the Convention which Mr. Reverdy Johnson negotiated, the President is in favour of a reconsideration of the subject, with a view to the conclusion of a final and amicable arrangement. But rather than be a party to a half measure, he would prefer that the controversy should remain in abeyance. He emphatically declares that no terms will be conclusive which fail to propitiate the offended sovereignty of the American people.

That the President should have adverted to the subject, or that his utterances should have been shaped in this particular form, has excited some surprise in this country, and has been made the ground of several protests. Many persons among us cannot bear to hear the subject mentioned; they refuse to give a thought to its re-consideration. They maintain that the dispute has been virtually determined in our favour; that instead of the Americans having claims upon us, we have a right to an apology for the manner in which the Convention was treated by their Senate, but that the question had better be let alone, and quietly allowed to lapse into the limbo of exhausted controversies. Such an attitude in the presence of a great problem which is pregnant with a great danger, is neither creditable to us nor worthy of

reflecting men. The nation which deliberately adopts the policy of the ostrich will inevitably meet the ostrich's fate. To bequeath the *Alabama* claims to the next generation, would be equivalent to transmitting to our children a legacy fraught with dire misfortune and innumerable woes.

While the war between the Southern and Northern States was at its height, Mr. Seward, then Secretary of State, frequently complained in official despatches of the partiality for the South exhibited by many persons throughout the United Kingdom. He specifically denounced the conduct of the authorities with respect to the *Alabama* and kindred ships. When the war ended, he demanded compensation at the hands of our Government for losses sustained by the mercantile marine of the United States. The career of the *Alabama* and of other vessels sailing under the Confederate flag had not only given umbrage to the American people, but was a scandal to civilization itself. American merchantmen were captured, pillaged, and set on fire in every quarter of the globe. The commerce of the United States was in part driven from the sea, and in part transferred to other channels. The bill of costs for this was forwarded to our Secretary of State for Foreign Affairs. Lord Russell, who then filled that post, not only declined to receive the application, but couched his refusal to entertain it in no very polished phrase. Speaking on behalf of this country, he disclaimed all responsibility for the damage done. Though his rejection of the claims was sharp and summary, yet it was not decisive. Lord Russell's peremptoriness was matched by Mr. Seward's obstinacy. The English Minister declared he would not yield an inch, while the American Minister as confidently declared that England would in the long run be compelled to give the ell for which he sued.

When a change of Ministry occurred, and Earl Russell was succeeded at the Foreign Office by Lord Stanley, a renewed application for redress was made. The new Foreign Minister proved himself far more amenable to argument than his predecessor, and it seemed as if a path out of the maze had been found at last. At this juncture, Mr. Adams, who with marked ability and rare tact had represented the United States in this country during many years, resigned his office and returned home. After a little delay, his successor was nominated by the President, and the appointment was confirmed by the Senate. Mr. Reverdy Johnson, on whom the choice fell, was a man of ripe experience, and a Senator whom his colleagues held in high esteem. Throughout the country he was known and honoured as an eminent member of the legal profession, as a polished gentleman, as a man of unblemished life, lofty character, and large culture. The appoint-

ment gave general satisfaction. For once, the President, who was in direct antagonism to the dominant party, received compliments on all sides for having made a selection alike suitable and wise. To mark their respect for Mr. Reverdy Johnson, his political opponents in the Senate abstained from voting against him, and the world was apprised that the Senators had ratified his appointment by a unanimous vote. The writer has been informed that this outward unanimity was not considered by the Senators unfriendly to the President as in any way cramping their freedom of action towards the policy of his nominee. This is doubtless correct. Yet of this neither the English nor the American public was made aware at the time. Nor was it wonderful that the English public should have been deceived by appearances. The memorable action of the Senate met with no disapproval, and excited no protests. All the external indications were favourable to the newly-appointed Minister. His praises were in every mouth; his abilities were extolled to the skies. Before his departure, he made a speech at a dinner given in his honour, in which he emphatically declared, amid applause, that his mission was that of a peacemaker, that he went forth with the earnest desire to become the instrument of restoring and cementing perfect concord between America and England. The leading newspapers approved of his pacific sentiments, and wished him God-speed on his important and responsible errand.

Not long after landing on English soil, Mr. Reverdy Johnson became the most popular American Minister ever entrusted with a mission to this country. Many able and distinguished men had preceded him. They had discharged their duties with zeal and success; but they had never become the favourites of the multitude. They were ready to partake of sumptuous banquets in the gilded saloons of the rich and titled, but they persistently held aloof from the humbler gatherings of the middle and poorer class. Mr. Reverdy Johnson pursued a different course. He readily accepted invitations to the tables of the great, and he cheerfully attended and presided over meetings of working men. For every one with whom he came in contact he had a kindly word. To all he willingly extended the right hand of fellowship. As the representative of a republican nation, he conducted himself with republican frankness, treating accidental distinctions of class and artificial divisions of caste as of no account in his eyes. In demeanour he was the least aristocratic American Minister who ever mixed in English society, in manner he was the type of a polished yet thorough-going republican.

The affability of Mr. Reverdy Johnson took the nation by surprise. He said courteous and friendly things when he was

expected to give utterance to imperative and exorbitant demands. The result was that towards him personally a feeling of goodwill soon took possession of the people at large. Popular sentiment being conspicuously enlisted in his favour, his path as a diplomatist was made very smooth. A desire was universally expressed to meet him more than half way, to be ungrudging in according his claims, to be unhesitating in concluding the bargain he proposed. In consequence of this manifestation of sympathy, Lord Stanley yielded point after point, with the approval of the press and the representatives of both political parties. When the Convention was finally framed, it was simply a despatch from Mr. Seward in another form. Everything that Mr. Reverdy Johnson claimed had been conceded. A great deal of dignity was sacrificed with a view to insure a happy issue. Lord Stanley seemed laudably anxious to gain the credit of terminating a dispute which Earl Russell had prolonged and envenomed, and thus enable his party to boast that the alliance with America which was endangered during the sway of the Liberals, had been rendered stronger than ever owing to the sensible action of the Tories. He did not remain in office long enough to carry out this programme, and thus reach the goal of his ambition. Yet Lord Clarendon did not repudiate or undo his work. The Convention which the Tories had begun the Liberals completed, to the entire satisfaction of the parties directly concerned. Nothing was wanting but the formal assent of the Senate of the United States.

While the negotiations were being brought to the desired termination in England, an agitation, hostile alike to the envoy and his work, was in progress among his countrymen. The press of every loyal State and Territory in the Union vilified Mr. Reverdy Johnson with a vehemence of language which boded ill for his success as a negotiator. Mr. Seward was not allowed to go scot free, while President Johnson was stigmatized as a traitor. The President had made himself obnoxious to the majority by pertinaciously advocating and imposing a policy which he lauded as constitutional, and which his adversaries regarded with aversion, because, in their opinion, it was wholly incompatible with the just government of the country and the due administration of the law. Having been impeached, he narrowly escaped conviction. Though technically absolved from the high crimes and misdemeanours with which he was charged, he was yet a marked man, deemed unworthy of trust and undeserving of honour. Had the Convention settling the *Alabama* claims been ratified during his administration, his name would have lived in history as that of the Chief Magistrate who had been instrumental in

terminating one of the most thorny diplomatic controversies in which the United States had ever engaged.

This consideration may have exercised a considerable weight with the majority of the Senators. Other influences operated in the same direction. The people made their desires felt in a manner not to be misunderstood or resisted. They were enraged at the course pursued by Mr. Reverdy Johnson. They believed that he had basely truckled to England. They repudiated the genial speeches which he made as their representative. If they did not hate the land of their ancestors, they then cherished no love for England and the English. The flattering phrases which he lavished indiscriminately, the affection which he manifested for the country to which he was accredited, appeared hollow mockeries to a people in whose minds the memories of taunts uttered by the English press, and calumnies repeated with unconcealed delight by members of the English aristocracy, still rankled and burned. Correspondents of American newspapers did not labour to soothe the ruffled feelings of their readers in the States. On the contrary, the most irritating words of Mr. Reverdy Johnson were chronicled, and rendered still more insulting by the addition of aggravating particulars. No allowance was made for the exigencies of the Minister's position, not a hint was vouchsafed to the effect that much of his flattery was uttered as a diplomatist rather than an American. Who can wonder that his speeches, when scanned by patriotic writers, keen to detect shortcomings and merciless towards faults, should have supplied ample material for denunciations of the speaker and disparagement of his purpose!

When the ferment was at its height a new President was installed in office. On most subjects President Grant had maintained a guarded mien and a judicious silence. But the Convention for the adjustment of the unfriendly relations arising out of the career of the *Alabama* was a conspicuous exception. To his friends and acquaintances he made no secret of his opinions. It was noised abroad that he disapproved of the proposed arrangement, that he considered the proposals which Mr. Reverdy Johnson deemed adequate as wholly contemptible and ludicrously unfair. He desired that reparation should be made to the nation as well as compensation paid to individuals. Regarding England as a wilful wrongdoer, he wished that she should either bear the brunt for her misdeeds, or else make ample atonement for them. These opinions coincided with those held by many of the most influential members of the Senate. When the day arrived for the consideration of the Convention, it was seen that the majority had been deeply impressed and influenced by them. The Con-

vention was rejected with unparalleled ignominy. By virtue of his office as Chairman of the Senate on Foreign Affairs, it devolved on Senator Sumner to justify, while explaining, the course adopted. Senators who heard every speech delivered while the Senate was in secret session, have assured the writer that Mr. Sumner's speech was far from being the most virulent and menacing. Senator Anthony, then President of the Senate, has publicly stated that, in the opinion of others and himself, the speech "was essentially a pacific one." Doubtless, the orator's intention was to promote concord; yet the immediate effect was to excite a storm of indignation. On both sides of the Atlantic, thousands firmly believed that the speech was the forerunner of a declaration of war.

The effect in England was unprecedented. The most pacific looked aghast and prepared for the worst. The consistent sympathizers with America were in dismay, and confessed their inability either to invent a plausible explanation or devise a rational excuse. Men asked each other "What has been done or left undone, that this terrible misapprehension should have occurred?" They knew that whatever was asked on behalf of America had been granted. They believed that everything had been conducted in good faith, and that this country had honestly striven to give token of a desire to cultivate the friendship of the United States. In their perplexity, they arrived at the conclusion that the American people were not only exacting but incomprehensible; that no possible terms would satisfy them; that no practicable arrangement would receive their sanction. Meanwhile, the American press was in ecstasies over Mr. Sumner's speech, gloried in the decisive and discourteous action of the Senate, and professed to see in the amazement and consternation of Englishmen, either the last act of a cleverly played farce, or a lamentable exhibition of hypocrisy.

A feeling of relief prevailed as week was followed by week and months succeeded each other without a formal rupture taking place between the kindred nations. Yet some time elapsed before the majority entertained no apprehension concerning the final result. On this occasion, as on similar occasions, the forecasters of evil plied a brisk trade. Their lugubrious and ill-omened sayings found general credence. They were listened to with the greater patience, and treated with the greater respect, because they but reflected the general sentiment when professing to hear in the distance the trampling of war-horses and the sounds of armed hosts girding themselves for the fray.

When a nation is angry, its paramount longing is to make an individual responsible for the occurrence which has produced the irritation. Thus it was that Mr. Reverdy Johnson had to

suffer for the sins of others, and became the scapegoat of the Administration. A few indiscreet speeches sufficed to render him an object of aversion to the majority of his countrymen. Heated by prejudice, they were incapable of calmly reviewing his career and adequately acknowledging his services. He did not even get the credit he deserved for the two Treaties to which exception could hardly be taken ; the Treaty relating to the San Juan dispute, and the Treaty placing the rule as to naturalization on a new and a rational footing.

It is possible that Mr. Sumner resented being treated as a scapegoat, and felt aggrieved at the way in which his speech was received by Englishmen. . They charged him with inciting his countrymen to embark in hostilities. His purpose was to render war between the two countries impossible. He was accused of exaggerating the demands of his countrymen, when he was but acting as their spokesman. If he spoke strongly it was because they felt strongly. Taken by itself, Mr. Sumner's speech is a warlike document. Considered in the light of the circumstances under which it was delivered, it may be called a public warning against a great and imminent peril. At the time that it was read and commented on in England, there were few materials at hand for rightly understanding the import and design of that speech. It can now be examined without risk of exciting prejudices and deepening misunderstanding.

Among the public men of America, there is hardly one who has struggled more ardently and suffered more severely in the cause of universal freedom than Mr. Charles Sumner. In him the Southern slaveholders had an active and uncompromising antagonist. He carried on the war against them in season and out of season, regarding no measures too severe, and thinking no language too extreme, which tended to destroy the accursed system under which human beings were held in bondage because their skin was dark in colour. Once, his life was imperilled on account of the boldness with which he avowed his opinions. He championed the slave at a great risk, and under great difficulties. The majority of his countrymen opposed and detested abolition. The minority, of which he was one of the most trusted chiefs, was regarded as a body of dangerous and unpractical fanatics. What he lost at home he more than gained abroad. By thousands of Englishmen he was looked upon as one who could lay claim to the double honour of being at once an American Wilberforce and an American Fox. For him and for his cause there was a sympathy of which no other American statesman and cause was the recipient and the object. It is not wonderful that, under these circumstances, the admiration which Mr. Sumner felt towards England should have been great and sincere.

When the momentous crisis in his country's history was heralded by the bombardment of Fort Sumter, and when the South openly challenged the North to mortal combat for supremacy, there were few whose forecast of the result and whose estimate of the opportunity could compare in precision and correctness with the forecast and estimate of Mr. Sumner. In all his speeches he proclaimed that, whatever might be the immediate issue, the rebellion had sealed the doom of slavery. According to him, the volunteers who went bravely forth to battle for the Union were all, in reality though not in name, anti-slavery crusaders.

Sustained as he had long been by the example and the countenance of Englishmen in his struggles with the slave-fiend, it was natural he should expect that, when the monster seemed on the verge of annihilation, England should applaud and sympathize with the endeavours of those who were vigorously fighting the good fight. Unfortunately, the English governing classes forgot their hereditary hatred of slavery in their acquired distaste to Republicanism. When they ought to have rejoiced that the die had been cast, and the emancipation of millions of slaves staked on the certain arbitrament of the sword, they either expressed a disbelief in the capacity of the North to execute its purpose, or else, under the false plea that the Confederates were fighting against tyranny, they sympathized with the efforts of the slaveholders. The revulsion of feeling which the contemplation of this spectacle engendered cannot have tended to render Mr. Sumner perfectly well fitted for weighing the conduct of England with judicial calmness. Bitter disappointment often converts love into aversion. In the case of Mr. Sumner, his respect for England probably gave place to detestation at what he conceived to be treachery towards the cause of human freedom.

If this explanation be correct, it is not difficult to understand why, when it fell to Mr. Sumner's lot to become the exponent of his countrymen's feelings, he magnified the case in his anxiety to give full expression to the opinions of the nation. With the skill of a practised rhetorician, and all the resources of a natural orator, he drew an indictment of America against England which had all the appearance and not a little of the effect of a Philippic. Had the tone been less bitter and the statements more balanced the speech would have probably made some English converts to its author's views. To this Mr. Sumner might reply that, as he felt keenly, he was not liable to any blame for having spoken forcibly; and that, however strongly he might have spoken of England, it was for her benefit that she should learn what he held to be the simple truth with regard to her position and conduct during and after the war. Perhaps it is better to say the

worst even at the risk of giving offence, than to speak smooth things and nurse enmity.

The speech of Mr. Sumner then must be accepted as the utterance of a very candid friend, and as embodying all the charges which the American people can bring against England. Many points in it are open to criticism ; many of the conclusions have been challenged by American jurists ; some of the statements are inexact. Still, the delivery and publication of that speech should not be regretted by the friends of a final settlement of the differences between the two countries. It is true that the convention which Mr. Reverdy Johnson framed and Mr. Seward dictated provided for all the contingencies which might arise, and it is probable that substantial justice would have been wrought under its operation, yet the popular feeling with regard to the attitude of this country during the war would have remained unmodified. Unfortunately for both nations, neither Mr. Seward nor Mr. Reverdy Johnson perfectly understood what their countrymen desired. It is certainly hard that this country should be attacked and maligned because, in America, somebody blundered.

Let the credit of good intentions be unreservedly conceded to Mr. Sumner. We may weigh his arguments even while we quarrel with his phrases and resent his conclusions. His denunciation of England can best be met by a calm protest against the justice of the assumption which forms the basis of his most extreme charges and sweeping demands. According to him, our Government afforded direct aid and countenance to the rebellion by issuing at the outset a proclamation of neutrality, and thereby dowering the South with the rights of a belligerent. Mr. Sumner objects to the Proclamation on the ground that it was prematurely issued ; that it was framed and published in order to work mischief ; that it rendered England an accomplice in the struggle against the Union. He styles the Proclamation—

“ The first stage in the depredations on our commerce. Had it not been made, no rebel ship could have been built in England. Every step in building would have been piracy. Nor could any munitions of war have been furnished. Not a blockade runner, laden with supplies, could have left the English shores under a kindred penalty. The direct consequence of this concession was to place the rebels on an equality with ourselves in all British markets, whether of ships or munitions of war.”

In support of this deduction he cites as authorities the late Lord Brougham and ex-Chancellor Chelmsford. With due respect, we submit that Mr. Sumner has been misled by his authorities. Their opinions are not binding upon us. They do not even merit the notice due to judicial decisions, being uttered

during an informal debate in the House of Lords. The proclamation did not either create or confer belligerency; it merely recognised an indisputable fact. If it had never been issued, the facts would have still existed in all their force. In the absence of that document the *Alabama* would have pursued her scandalous career, and the blockade-runners made their trips without increasing the odium they caused, and without materially altering the position of England.

The scope and purpose of that proclamation have been strangely misapprehended and misrepresented. Instead of conferring a privilege on the South, it really deprived the South of a great hope. To the North it supplied an increase of moral strength. Till the

- Proclamation had been issued, the official attitude of the Government was undetermined. At any moment the Government might have elected to side either with the North or the South. What the North then desired above all things was to be freed from the apprehension of a foreign state or potentate interfering in what it called its domestic troubles. All dread of unsolicited and unwelcome intervention, the proclamation of neutrality dispelled. What the South desired was the active aid of England and France, and believing cotton to be indispensable to us, the Confederates counted upon our support in order that we might continue to procure cotton from them. The proclamation told them in unmistakable language that this hope was an idle dream. We might have continued to be neutral in the absence of any intimation to that effect. It was for the guidance of the people of England, and for the information of the world at large, that the proclamation was issued. To elevate the issuing of this proclamation into a grievance is to put the case on a wrong footing, to introduce mystification into the transaction, and veil the true point in dispute.

The real and substantial issue is the genuineness of this country's neutrality. Did the Government do its duty without favour or hesitation? Were the complaints of the North listened to patiently, and was redress readily furnished for the injuries sustained? If the affirmative of these questions cannot be sustained by adequate proof, then the United States have been greatly wronged. No Englishman, nor any body of Englishmen, is competent to decide these questions without bias and without provoking obvious and unanswerable retorts. Here it is that arbitration becomes a necessity. A third party is alone qualified for holding the balance even and doing impartial justice to the disputants.

In his determination to state the case in all its apparent malignity and possible vastness, and to exclude from it anything which told in favour of the English Government, Mr. Sumner

omitted some things which he might otherwise have noticed and dwelt upon with effect. What he says about the rebel rams illustrates at once the defects of his argument and the bitterness of his tone. The words used are these :—

“ Audacity reached its height when iron-clad rams were built, and the perversity of the British Government became still more conspicuous by its long refusal to arrest these destructive engines of war, destined to be employed against the United States. This protracted hesitation, where the consequences are so menacing, is a part of the case.”

Now it was surely disingenuous to make this statement without amplification and addition. The Government certainly hesitated to seize the rams because there was great doubt as to the legality of the step. When they were seized, it was under a threat of war delivered by Mr. Adams. The result justified the procrastination of the government. After a patient trial of the parallel case of the *Alexandra*, the jury found a verdict against the Crown. The verdict was acquiesced in because it accorded with the law and the evidence. But the Government suffered in public estimation for having wilfully exceeded their legal powers. Having broken the law in the case of the rams, nothing but an act of indemnity could exonerate them from punishment, unless they could make terms with the builders. In order to put an end to the prevailing and natural anxiety and apprehension, the builders agreed to sell the rams to the Government. Parliament ratified the bargain, and half a million sterling was paid away. It has been since found that the purchase was an unprofitable one, the rams being useless for sea-going purposes. Thus, in order to give the United States no ground of complaint, a large pecuniary sacrifice was incurred, yet the only result has been to render Mr. Sumner so dissatisfied as to lead him to include the case of the rams in the bill of indictment drawn up against England. In this matter it is beyond doubt that instead of America being competent to prefer a just demand for damages, the English Government has a moral claim upon America for repayment of an outlay made at her instigation and for her advantage. Nor was this the only example of a desire to do justice, even to the extent of straining legal forms. The trials of alleged Confederate agents were instituted with the same objects. It is not contended that the conduct of England was uniformly blameless ; but it is indisputable that the conduct of England was less glaringly inexcusable than Mr. Sumner has represented, and his countrymen believe.

The points now raised and considered are technical ones, and they are those about which the difference of opinion must always be very marked. That doctors differ has passed into a proverb.

That lawyers should agree is all but impossible. Still, confining these comments to technicalities, a word may be said with regard to the manner in which our neutrality was observed and enforced. On this head some very pertinent remarks have been made by the Hon. G. H. Yeaman, the United States Minister at Copenhagen. In a pamphlet, printed two years ago, and entitled "Some Observations upon *Alabama* Questions," he reviewed the course pursued by Lord Russell in his diplomatic correspondence with Mr. Adams. We regret that this pamphlet has not been more widely circulated. Its contents are worthy of being carefully pondered by English jurists. In tone it is a model to American controversialists. We gladly say these things in its favour, notwithstanding that the author's conclusions are adverse to English pretensions, and damaging to English statesmen. Where the questions at stake are so serious, no sober-minded writer should desire a triumph at the cost of frankness. Besides, the subject is sufficiently complicated to admit of contradictory views being enunciated with perfect honesty, and supported in perfect good faith.

To all who have taken part in this controversy, the laxity of the authorities in permitting the escape of the *Alabama* has seemed a blunder of serious import. By the American people it is supposed that the Government of England intentionally delayed despatching the order which would have hindered the ill-omened vessel from leaving the Mersey. The fact is, that the telegraphic despatch ordering her detention arrived seven hours too late. Moreover, it is supposed that the builders of the *Alabama* received early intelligence of the purport of the despatch. If this be true, then there is little doubt that direct bribery was had recourse to, or that indirect and culpable corruption was employed in order to obtain early information. But it is also unquestionable that an accident for which the Government was not to blame exercised a fatal influence over the result. The Queen's Advocate, by whom such questions as those relating to the detention of the *Alabama* had to be determined, was then suffering from a malady which rendered it impossible for him to give his mind to the consideration of the papers laid before him. This incapacity was unknown at the time to his most intimate friends. Not till a later period did his condition become apparent to any of the parties affected by the decision. Such a misfortune does not absolve the Government from responsibility, but it completely vindicates their impartiality. Still, after all this has been urged and granted, a damning charge advanced by Mr. Yeaman is neither disproved nor explained away. He finds grave fault with the admitted reluctance of the Foreign Secretary to act till Mr. Adams had convinced him that there was

sufficient evidence to secure the conviction, as well as to justify the detention of the inculpated vessel. Here it was that the desire to prevent a violation of neutrality by rendering it impossible, should have been clearly and openly manifested. Mr. Yeaman maintains that International Law sanctioned the detention of the vessel, and that Municipal Law provided for the punishment of the wrongdoers if their crime were proved. He asks :—

“ When a law denouncing certain things highly injurious, makes the commission of them criminal or penal, and visits the violators of the law with severe punishment, have the guardians of the law, whether Collectors, Customs Commissioners, Law Officers, or the principal Secretary of State for Foreign Affairs, after being duly and officially notified, not only that a violation of the law is intended but that it has already occurred, fully discharged their duty by expressing the opinion that the evidence presented by the complaining party is not quite formal, and is not sufficient to procure a conviction ?”

We forbear even attempting a reply to this elaborate query. A thoroughly satisfactory answer could hardly be made to it.

The comments of Mr. Yeaman render the imperfections of our municipal laws for the maintenance of neutrality intelligible to every reader. The most palpable of the American grievances have their origin in acts committed on account of the shortcomings of our statutes. Americans forcibly argue that when these defects were made the subject of official remonstrance on the part of their representative, the imperative duty of a people in amity with them was to find in appropriate legislation a remedy for admitted deficiencies. This, they allege, was not only left unperformed, but the mere suggestion to take the necessary steps was resented by our authorities as an insult to the national sovereignty.

The result of discussion is simply to leave the people of the United States unshaken in the conviction that they were wronged by the people of this country. One allegation after another may be shown to be baseless, yet the sense of injury sustained is neither weakened nor removed. We may state with emphasis and prove with ease that this country never created the belligerency of the South, we may show that the Supreme Court of the United States has declared the existence of belligerent rights antecedent to our proclamation of neutrality, we may even obtain an admission to the effect that the convention which Mr. Reverdy Johnson concluded was designed by England to be a comprehensive and conclusive settlement of all the claims made upon her, and that it was rejected by the Senate of the United States, in a way which, if technically permissible, was practically insulting. Nor is it difficult to find

Americans who admit that the speech of Mr. Sumner was calculated to exasperate as well as to inform. Mr. Sumner himself might candidly urge that he neither minced matters, nor thought it wise to withhold a single particular, or suppress a single epithet, which served to give completeness, point, and force to his argument. Taking all these things into consideration, it might seem as if the disheartening conclusion were inevitable that nothing can be done, and that the two nations must patiently await in silence a convenient opportunity for settling their differences not by the pen but by the sword. Against such a conclusion being admitted within the sphere of possibility the friends of both countries should vigorously protest. Let them but display as much energy in discovering a clue to the labyrinth as they have shown in arguing about the existence of the labyrinth itself, and they will soon attain the object of their desires. That the discussions have been futile and barren is chiefly attributable to each party having met assertion with assertion, in apparent unconsciousness of the fact that their points of view being opposed, their conclusions were necessarily discordant.

On the one hand the Americans maintain that the predominant sentiment of England during the war was inimical to the existence of the Republic. This offended the majority at the time, but they were helpless to give effect to their feelings. The memory of this rankles in their minds now, and they demand reparation. However, as "a sense of wrong," even when well founded, can never be made the sole basis of a claim, all the incidents which might be technically sufficient to sustain the complaint have been included in the case. Taking each allegation separately and probing it to the bottom, the guardians of English interests have shown that in nearly every one there is a flaw, and that, when regarded as a whole, they are insufficient to justify the conclusions drawn and the demands preferred. Thus a sentimental, yet none the less a real, grievance, presented under the form of a tangible and technical one, is supposed to be refuted by a legal answer which deals with the actual facts, and takes no account of the underlying and animating sentiment. A discussion conducted on this plan cannot but be interminable and fruitless.

It is easy, but insufficient, to allege that the sentiment is exaggerated, even if sentimental considerations are admissible. Few can recall the state of affairs in this country during the years that the late war raged in America, without feeling humiliated at the blunders then made by those who exercised the responsible functions of public instructors and guides. Secession was regarded as an accomplished and irreversible fact. The relinquishment of the struggle by the North was confidently

predicted. The resources of the South were regarded as inexhaustible. When the Confederates won a battle, the rejoicing was loud and unrestrained. When the North inflicted a staggering blow, the vigour of the stroke was called in question. Perhaps the infatuation culminated when the retreat of Hood, which enabled Sherman to march through Georgia without risk of serious molestation, was gravely characterized as a strategic movement, admirably planned and cleverly executed, with a view to entrap or annihilate Sherman's army. American travellers in Europe, who then were nearly all Northerners, heard language of this kind used by Englishmen. By the newspapers throughout the Union these articles were copied and exhibited as samples of English hatred. As if the errors of certain newspapers were not mischievous enough, some men of mark devoted their energies to work additional mischief. Society welcomed these men as heroes. At that period, and for some time previously, the governing classes had lived under perpetual fear of steps being taken to "Americanize" the institutions of the realm. The able and ardent advocates of parliamentary reform were known to desire that this country should continue on the most friendly terms with America. It was assumed that the changes proposed by them were planned with a view to overturn the Constitution, and to substitute for it the Constitution of the United States. By those who were the dupes of the phantoms emanating from their heated brains, the real nature of the American war could not be adequately perceived. They saw, as they supposed, the Republic in a state of disruption, and they gloried in the spectacle, not on account of the injury thereby caused to the Americans, but because the catastrophe removed from their own doors the probability of an immediate revolution. What with folly on the one hand and ignorance on the other, that portion of the community constituting society was wholly disqualified for calmly taking a side or enunciating a rational opinion. Unfortunately this was not understood across the Atlantic. The Confederates, being deceived, over-estimated the importance and the weight of their sympathizers. The Federals, trusting to appearances, exaggerated the amount of English opposition to their great cause. Neither section took sufficient notice of the influential, but small, party which never despaired of the Republic. This party was composed of men far more worthy of attention than the empty talkers who rejoiced over the bursting of an imaginary bubble. The members of this third party, understanding the issues at stake, quietly exerted themselves to stem the current of prejudice and absurdity. They succeeded so well that, though many unwise words were spoken, not a single unwise official act was purposely performed by those responsible for the [Vol. XCIII. No. CLXXXIII.]—NEW SERIES, Vol. XXXVII. No. I. Q

affairs of the nation. If a balance could be struck, it would surprise many to see how much heartfelt and useful sympathy with the American people might be set off against all the aimless and empty talk which caused them so great pain.

For the bitterest exhibitions of aversion the Tory party is mainly, though not entirely responsible. Its organs in the press eagerly embraced every opportunity for lauding the South at the expense of the North. This was deplorable, yet natural. The hugbear of that party was then Parliamentary reform. Dreading the possible extension of the suffrage, it looked with no favour upon a nation which was a standing testimony to the wisdom of giving to the whole body of the people a share in the government. The case is now altered. The people of England have been enfranchised, and are as much the masters of their own destinies as are their American brethren. The Tory party was the instrument employed in accomplishing this object. That party, when in power, did its best, through the medium of Lord Stanley, to atone to the United States for the wrongs endured by their citizens. If an attempt were now made by the Liberals to negotiate a new treaty, no opposition could be consistently made by their political opponents.

That such an attempt should be undertaken is an opinion to which every careful investigator of the facts will cordially subscribe.

In his Message, the President expresses a hope that negotiations may be resumed with a prospect of being conducted to a desirable issue. He does this in a tone to which we are unaccustomed on the part of American Presidents. It had almost become the tradition of their office to say some harsh thing about England at least once a year. Formerly this was intentionally done for purely party ends. The Democratic party then ruled the country, and the Democratic party relied for support on the votes of Southern slaveholders and of naturalized Irishmen. The slaveholders bore a perpetual grudge against the people who had destroyed the slave trade and decreed emancipation, and who had never ceased to prosecute a propaganda in favour of abolition. The naturalized Irishmen carried with them to their new home an unquenchable antipathy towards the rulers over the country of their birth. As the spokesman of these men, the President of the United States employed terms fraught with sneer and menace whenever he had to mention English affairs. Those utterances sometimes gave more annoyance to his fellow-citizens than to the natives of this island. The intellect of Boston had no affinity with the prejudices which were popular at Washington. Representing the great Republican party, which has been not more loyal to

the Union than ardent in establishing on an everlasting foundation the doctrine of the equality of all men before the law, and owing his elevation to the belief that in choosing him the electors did honour to the worthiest of their number, President Grant is singularly well fitted to speak in the name of the American people. It is the more gratifying, as well as a good augury for the future, that the utterance of the President should be couched in words eminently conciliatory, and should be an aspiration for the speedy restoration of perfect harmony and the growth of genuine friendship.

For these reasons, the President's view of the case merits the more attentive scrutiny. In substance it is that which Mr. Sumner elaborated in his speech to the Senate, and reiterated in a speech at the last annual convention of the Republican party in Massachusetts. There is this important difference, that no complaint is made in the Message about the proclamation of neutrality. This is favourable to a friendly and practicable settlement. But the President and the distinguished senator for Massachusetts are at one in holding that the United States in its corporate capacity has a claim for injuries sustained during the war. This is both a question of fact to be determined by a competent tribunal, and the assertion of a new principle. It is a claim for twofold compensation. In the first place, individuals are to have their actual losses made good; then the Government will present a bill of costs for losses incurred by the nation. In private life, this would be equivalent to every member of a family demanding compensation for injury to reputation or damage to property, and the head of the family making a further demand on behalf of the family as a whole. On closer examination, the meaning of this becomes clearer, and the unfairness less conspicuous. After stating that the injuries caused to the country were treated in the rejected convention on the same footing as ordinary commercial claims, the President affirms the greatest omission to consist in no word being found therein, and no inference being deducible from it, which could lessen the sense of unfriendliness as to the course pursued by Great Britain. It is a complaint of unfriendliness rather than a demand for money, which, whether in conversation or in official documents, is most commonly preferred by the citizens of the United States. When making that complaint, President Grant and Mr. Sumner but reiterate what is constantly said in private. If satisfaction could be accorded on this head all would be well, and the rest would be easy. The Americans do not supplicate us to discharge their debts. If we offered to pay them, they would unanimously treat the overture as a covert or open insult. They are justly proud of the way in which they have waged and ended

a great war. It is now their pride to liquidate the debt they have incurred. That they will soon accomplish their object hardly admits of doubt. The clearest proof that financial redress is not contemplated or desired by the President, is afforded by the way in which he characterizes the Convention that Mr. Sumner refused to ratify. Had the decision of the referees acting in virtue of that document been adverse to England on all points, a claim for the outlay incurred by the North might have been established against us. Whether this was a contingency foreseen by its framers we cannot say or infer with good reason. But that the result was possible has been shown by Mr. Francois Adams in the *North American Review*. Moreover, Mr. Sumner, in the speech interpreting what was obscure in that which produced so great a sensation, carefully guards himself against preferring any preposterous claim. Speaking before the Republican Convention of Massachusetts, he remarked: "I show simply what England has done to us. It will be for her, on a careful review of the case, to determine what reparation to offer. It will be for the American people, on a careful review of the case, to determine what reparation to require."

What our Government may offer, and what the Government of the United States will require, cannot here be foreshadowed, still less determined with certainty. But, as a consequence of what has been advanced, the equity of the case would apparently be met by the adoption on our part of the following method of procedure.

It cannot be denied that this country was indirectly and surreptitiously made the basis of naval operations against the mercantile marine of America, and that the South gained much direct succour at the hands of English traders. Beyond all doubt the Foreign Enlistment Act failed to give to our authorities the powers requisite to prevent and punish those who were determined, if possible, to treat the proclamation of neutrality as a dead letter. The uncertain and disputed rules of the law of nations proved of dubious value at this time. Being called in question by one party, they practically lost their binding efficacy over all parties. This was due in great part to the progress of mechanical arts. In olden times it was the boast of astute legal practitioners that they could drive a carriage and four through any Act of Parliament. In our day it may be said with greater truth that no Act of George the Third would suffice to stop the starting of a steam-engine, or to hinder the sailing of a steamer. We must legislate for steam vessels of war as our fathers legislated for sailing ships. International law must be remodelled with a view to define the duties and regulate the powers of neutrals, now that coal has become the one thing needful when

a maritime war is raging. An agreement as to what is wanting, and as to what should be done, might well be concluded between the two modern masters of the sea, England and America. There need be no shame felt by us in officially admitting that the imperfection of existing laws rendered the part played by us towards the United States far less friendly than it might and should have been. Such an admission would be a victory over which the American people might exult; but they would assuredly not abuse it. He must have strangely misunderstood the temper and character of that great people if he has arrived at the conclusion that to humiliate the Old country is one of the desires of their hearts. They are ready to assert their position; they are apt to speak disparagingly of political arrangements not identical with their own; but at bottom they are more kindly disposed to the land in which their forefathers dwelt, to the race from which they are offshoots, than to any land or race on the surface of the globe. Unfortunately, books have been written and speeches made in the language which is at once their heritage and their glory, with no other apparent purpose than to satirize, caricature, and revile them. Newspaper articles in French, German, or other tongues, directed against America and the Americans, are passed by unheeded, but every article in the English press which tells in their favour, or to their discredit, is universally read throughout the vast expanse of their magnificent continent. A foreigner imperfectly acquainted with English may travel from one end of the country to the other, exciting no remark and doing neither good nor harm, but an Englishman who undertakes the same journey has constant opportunities for producing heart-burning, and intensifying bitterness by hasty, unworthy, and unjustifiable expressions. It is characteristic of the English tourist to patronize the foreigners with whom he comes into contact, to pity their ignorance of his ways, to treat them as scarcely fit society for a free-born Briton. As foreigners are accustomed to regard all Englishmen as semi-lunatics, not much harm is done so long as the traveller pays his bills. But the Americans attribute the same conduct not to eccentricity, but to conceit and bad feeling. Hence it is that their disposition to be on good terms with us is often subjected to a severe trial. When a public illustration of what they deprecate and dislike is added to the examples of what they have personally experienced, the result is a state of feeling like that which will prevail until the Alabama claims be despatched into the oblivion decreed for solved problems and redressed grievances.

Seeing that President Grant has officially intimated the readiness of his Government to resume negotiations, the time has now

arrived for making another attempt to end the only controversy between England and the powers of the world. Moreover, to use the President's words, "It is now the only grave question which the United States has with any foreign nation." We are assured that it would be desirable if the preliminaries were settled at Washington. To this none of our statesmen are likely to object. As the Senate rather than the Secretary of State, or even the President, is the body to be conciliated and satisfied, it is fitting that the negotiator should be in a position to learn what is the opinion prevailing among the senators. The work should be undertaken with a view, not to carry off a prize for diplomatic finesse, by having recourse to intrigue and by the practice of deceit, but to establish friendly relations between the two countries for their mutual advantage and glory. Both sides must be prepared to make rational concessions and forego inadmissible demands.

On the part of this country it is probable that no desire will be manifested to retract anything already distinctly indicated and intentionally conceded. Having consented to be bound by the ruling of an arbiter, we may cheerfully repeat our adhesion to this avowal. But if we would challenge respect and justify our readiness to conclude a lasting peace, it must be by taking our stand on still higher ground than that hitherto occupied. The revision of defective statutes, and the revisal of the code of international law, are subjects which, naturally springing out of this dispute, form the complement to any arrangement devised with a view to place the question in a proper light, and to turn the opportunity to profitable account. It would be a noble addition to the roll of England's achievements to include among them a successful endeavour to render peace more durable and war less terrible, by arranging for effectually protecting the neutral from injury, while at the same time providing for the maintenance of a defensible and indisputable neutrality.

The attainment of such a result would be cheaply purchased at the cost of sacrifices, whether of pride or punctilio, on the part of our authorities. As one result, we might count upon the ties between the two countries being drawn more closely and defined more clearly. Hitherto, it has been customary for the Governments of the United Kingdom and of the United States to act as if their interests were antagonistic. Hence whatever has been done by one, the other has regarded as a possible slight or direct injury. Seldom, if ever, have the two nations co-operated with cordiality. The reverse is true of France and Russia. Slight though the services were which France rendered to America during the War of Independence, yet they have sufficed to establish and insure the continuance of amicable relations ever

since. Even the avowed sympathy of the present Emperor of the French with the rebellion, and his attempt to destroy the Republic in Mexico, have not caused the traditional courtesies to cease between the United States and their ancient ally. With the astuteness which distinguishes Russian statesmen, the goodwill of the Americans has been cheaply and effectively gained for their country. When slavery marred the shield of the Republic, Russia, the land of serfdom, could pay compliments without irritating the slaveholders. When the slaves were emancipated, the Russian Emperor congratulated the Americans on having followed his example in emancipating the serfs. So skilfully did Russia shape her course, that when the Crimean campaign was in progress, American sympathy was manifested for the defenders of Sebastopol; and a rude lesson was taught to our Government when it inadvertently infringed the Foreign Enlistment Act in the case of American citizens. The most mellifluous phrases were used by Russia to America when kind words were most welcome. At the close of the great war the huge Empire of the North had her reward. Possessing a tract of barren rock in the vicinity of the North Pole, by which, as an official report of General Thomas informs us, she lost much money every year, she succeeded in disposing of this to America for two millions sterling, and not only got rid of an unprofitable possession on profitable terms, but also received the thanks of the representatives of the people for having acted with rare generosity and magnanimity. It would be absurd to suppose that individually the American and Russian people cherish affection the one for the other. A citizen who elects his ruler and a subject who does a despot's bidding cannot have much in common. That the Americans should be so tolerant as they are towards a grinding despotism like that of Russia is the strongest testimony in favour of the advantages to be gained by the cultivation of amicable relations between their government and our own. When official despatches are filled with compliments, individual bad feeling loses its reason for existing. If the official relations between us and the Americans resembled those between her and Russia, American newspapers would hold very different language when discussing English affairs. The anxiety would then be as great to foster peace as is the desire now displayed to pick a quarrel.

Next in importance to the conditions to which the country will accede, is the choice of the Plenipotentiary entrusted with the mission to Washington. It may be assumed that the English Minister there will not be withdrawn from the transaction of his ordinary official duties for the purpose of dealing with this subject. Of Mr. Thornton's diplomatic experience there

is no question ; yet that Mr. Thornton is hardly fitted for this exceptional task is as little capable of doubt. Any Treaty having the scope and import of that indicated would have to be explained and upheld in Parliament, as well as ratified in solemn form. A member of either House, and still better, a member of the Cabinet, is alone capable of discharging this duty with satisfaction to the Legislature. Fortunately, there is more than one man who possesses all the requisites for acting as a Plenipotentiary, who commands the confidence of his countrymen, who is esteemed by the citizens of the Great Republic. The Cabinet contains both an illustrious commoner and a distinguished nobleman, each of whom is fitted in every way to undertake this onerous yet dignified task. In the hands of either, the country's honour would be safe. At the hands of either, the hearty friendship of America might be secured.

Our Government has resolved to satisfy America in every way short of flattering or cajoling her. To friendly overtures on her part, we cannot but lend willing ears. To any fair and reasonable proposition made by her representatives, we shall readily and graciously accede. Mr. Sumner has proclaimed that the first step towards reconciliation must be in the direction of becoming perfectly acquainted with the case of his country. We flatter ourselves we have now reached that vantage ground. In their turn, the Americans should endeavour to realize the difficulties this country has had to face and surmount. For actual and demonstrated misdeeds, we are anxious to make ample and ungrudging atonement. From ungracious and unfounded imputations, we are desirous of being absolved. If the Americans have much to forgive, we have much which we shall strive to forget. In both cases, the best means for attaining the desired object is to be found in hearty co-operation with a view to prevent the possible recurrence of misunderstandings at once discreditable and deplorable.

The result of an honest and earnest effort to arrive at a mutual understanding cannot be other than praiseworthy and important. As a consequence, it may be anticipated that both nations will adopt a different policy towards each other in the future, than that they have respectively followed and gloried in during the past. Both have appeared bent upon detecting and condemning the differences which characterize them. They would be more profitably employed in noting and approving the many points they have in common. The one is the glorious mother of free parliaments ; the other is the great founder and apostle of free institutions. Let liberty be defended, has been the cry of the one ; Let equality be established, has been the cry of the other. As time has wrought its changes, the two cries have been

merged into an identical movement for upholding freedom and extending equality. In name, the political arrangements of the two nations differ as widely as day and night; in fact, they have become almost identical. An American elects his ruler; an Englishman elects the representatives who give power and office to the man of their choice. The first man in the United States is the President; the first man in the United Kingdom is the Prime Minister. It is hardly open to question that our method of dealing with an unpopular and unworthy Prime Minister is far more summary and practical than that which the American system provides for the removal of a President who has disgraced his office and displeased the people.

Considerations of still greater moment deserve to be carefully pondered and held in remembrance. Against alliances with the despotic and illiberal nations of Europe, the statesmen of America have always protested. Into forming such alliances this country has often been betrayed to its serious detriment. But experience has imparted to us wisdom through the medium of painful lessons. In the future, the policy of intermeddling will give place to the policy of observation. With the victims of tyranny we shall always sympathize, but the day has gone by for our rendering any assistance to those whom the people execrate as oppressors. Still, however much we may loathe entangling alliances, we cannot rid ourselves of the responsibilities which the force of circumstances has imposed upon us. The position we occupy in China and Japan is one which we must preserve. In these lands we are fated, for good or ill, to be brought into rivalry with our American brethren. We are rivals by circumstances; we need not be antagonists except by choice. Our interests are identical. Acting in unison we may do incalculable good: as enemies we may work irreparable mischief. If our relations were thoroughly friendly and sensible, we should go hand in hand towards the achievement of objects which, while redounding to the advantage of both, would prove beneficial to the human race. Besides, the question which may at any moment arise with regard to our own and other West Indian Islands, would never excite a moment's apprehension if the rulers of England and America were determined on pursuing a policy of mutual advantage rather than persisting in a course of mutual hostility. Hand in hand, the great people which dominates the vast Continent of America, and the great nation which has dictated laws to the world from the Islands of the United Kingdom, might pursue the splendid career of freedom, showing by example the virtues of self-government, and inspiring the oppressed of the earth with the energy requisite for attaining to an equally lofty ideal. The patriotism of Englishmen and Americans, if

united, would operate for the benefit of the nations to which they belong, and for the enlightenment and advancement of humanity.

Should the dreams of the noblest and wisest of mankind be destined to take shape and become realities, the glorious result will be due to the ascendancy of those principles which have inspired and illustrated the race from which the people of England and America derive their origin, their might, and their renown. In the unbroken and hearty co-operation of these natural allies, rests the only sure hope that brighter days are in store for the human family. If united in sentiment as in blood, these kindred and powerful nations might contribute what is lacking to perfect the political regeneration of the world. Their joint precept and example would hasten the advent of that golden age when the nations of the earth, acknowledging the brotherhood of man, shall be as willing and ready to teach and aid as they have been to traduce and harm one another, when they shall compose their disputes by deliberate appeals to reason instead of resorting to the savage arbitrament of bayonets, and when, from the rising to the going down of the sun, the uniform enjoyment of individual freedom shall be accompanied by the benign and universal reign of law.

W. F. RAE.



CONTEMPORARY LITERATURE.

The Foreign Books noticed in the following sections are chiefly supplied by Messrs. WILLIAMS & NORGATE, Henrietta-street, Covent-garden, and Mr. NUTT, 270, Strand.

THEOLOGY AND PHILOSOPHY.

MR. FFOULKES'S pamphlets on the subject of the Papacy have met with widespread attention, and were sure to do so on account of the mixing up in them of various personal matters.¹ It is not at all creditable to our reading public that the most important ecclesiastical and political questions, such as are bound up in the Romish controversy, have hitherto attracted but little attention in comparison of the semi-private affairs touched upon in Mr. Ffoulkes's account of his relations with the authorities of his new communion, or in Dr. Newman's "Apologia." That Mr. Ffoulkes should be heartily abused by his co-religionists, as well as excommunicated, if excommunicated he is, would follow as a matter of course; and it could hardly be expected that everything he has said and done should have been unexceptionable as to the mode. But he cannot, controversially, be moved from his two principal positions: 1. That the Roman Church has introduced into the Nicene Creed the important clause of the *Filioque*, which stands at the present day as a main obstacle to the reunion of East and West; 2. That the whole of the Papal system, properly so called, is based upon a long-continued series of forgeries, the principal of which are known as the pseudo-Isidorian Decretals. And in a coarsely written pamphlet, entitled "A Critique upon Mr. Ffoulkes's Letter,"² when the unessential and personal topics are blown aside, these two points are found to be practically surrendered.

"After all," says Mr. Ryder, "the *Filioque* got into the Creed very much as the Constantinopolitan additions did. These, it is now generally admitted, were no first-hand additions of the Second Council, but the gradual work of Catholic bishops, in the emergencies of heretical warfare, upon which the Second Council set its seal; which additions were made, be it remembered, notwithstanding the express prohibition of the Council of Sardica, recorded by St. Athanasius and St. Eusebius of Vercellæ, to compose another creed beside that of Nicæa."—p. 13.

That is to say, according to Mr. Ryder, because the East and West agreed at the Second Council of Constantinople to adopt œcumenically certain additions to the creed of Nicæa, introduced at first by particular bishops or churches, therefore an addition made originally, in like manner, without œcumenical authority, and never œcumenically

¹ "Is the Western Church under Anathema?" A Problem for the Œcumenical Council of 1869. By Edmund S. Ffoulkes, B.D., Author of "Christendom's Divisions," &c. London: Hayes. 1869.

² "A Critique upon Mr. Ffoulkes's Letter." By H. I. D. Ryder, of the Oratory. London: Longmans. 1869.

adopted, may be required, by the sole authority of the Western Church, as a condition of communion from the whole of Christendom. As to the second point, concerning the false Decretals, Mr. Ryder equally concedes, though he would appear not to do so, the whole of that which the adversary requires—concedes it, indeed, on a principle, as shown in the following extract, thoroughly characteristic of the Jesuit school—a principle, if he could have perceived it, more damaging than any other plea he could have put forth. For that the pretended letters of the earlier Popes were forgeries of the ninth century everybody, according to Mr. Ryder, is perfectly aware—it did not remain for Mr. Ffoulkes to make the discovery; nor even was the discovery due altogether to the Protestant Centuriators of Magdeburg. The forgeries, or some of them, were known as such to Bishop Nicholas, of Cusa, in the fifteenth century; Bellarmine and Baronius, and the great Catholic writers of the last three centuries, have recognised them as such; no one can doubt that the pseudo-decretals have died a natural, not a violent death. What follows is a good specimen in its way:—

“Mr. Ffoulkes will exclaim—‘Dead! They are not dead; the Church uses them still.’ Can he not understand that they may be used as texts, as convenient formulæ, simply for what they represent, and in no sense as authorities; that they may be too closely associated with the practice of the ecclesiastical courts to be eliminated without inconvenience? The right which they represent has long ago been realized by prescription, and what the canonist Wilhelm (ap. Mabillon, *de Re Diplom.* tom. i., p. 249) says of ‘*documenta suffecta, substituta, vicaria legitimorum*’ may be well applied to the pseudo-decretals. ‘Public instruments, sealed in courts, strong in the authority of great names, are called in question by historians; and often what the judge has approved in the forum the man of letters condemns in his study. In which case I would compound and so attemper matters as that, whilst the learned should rightly reject such documents as historical evidence, their forensic repute and authority might still remain to them.’”—p. 39.

Compare with the foregoing the summing up of a thoroughly honest author, after tracing the history of the Isidorian Decretals and of the forgery of Gratian in the twelfth century, the whole of which were embodied in the teaching of the schools by Thomas Aquinas. The well-known Janus,³ however, to whom we now refer, is anti-Jesuit. Without exaggeration, but unflinchingly, he reminds civilization and Christendom what are the essential principles of the Jesuit Order, and shows their fruit in the programme laid down for the proceedings of the Œcumenical Council. It has been said that Catholicism itself could not have survived the shaking of the sixteenth century if it had not been for the services of the Jesuits. In polemics, they have given it a serviceable weapon in the doctrine of development; in casuistry, the morality of “probables;” in education, and preparation of instruments, the maxim of unquestioning obedience; in hierarchy, the theory of Papal imperialism and infallibility. Lookers on who are the most reluctant to identify Catholicism with Jesuitism, have serious mis-

³ “The Pope and the Council.” By Janus. Authorized translation from the German. London: Rivingtons. 1869.

givings whether the two must not for the future imply each the other. As to the past, Janus has depicted, as we believe, fairly and truly, "the ancient constitution of the Church," that is, the independence of national Churches of any supremacy of the Pope. His primacy, so far as it was recognised, served only as a symbol of union in essentials, without legislative or executive powers (pp. 77-85). From the ninth century, supported by various forgeries, the Papacy tended to become a Monarchy; but it is likely it would never have so succeeded as it has, without the aid at the Reformation crisis, and subsequently, of the Jesuit Order, the principles and action of which are thus described by Janus:—

"The Jesuit sees the perfection of piety in the renunciation of one's own judgment, the passive surrender of intelligence and will alike, to those whom he recognises as his rulers. The sacrifice of one's own understanding to that of another man is, according to the teaching of the Order, the noblest and most acceptable sacrifice a Christian can offer to God. The Jesuit who is entering upon his novitiate is at once admonished to quench the light of his understanding, so far as it might interfere with blind obedience. He is therefore to be tempted by the novice-master, as God tempted Abraham. In the Exercises it is inculcated that if the Church decides anything to be black which to our eyes looks white, we must say that it is black."—p. 388.

The shamelessness with which the Jesuit principles have been applied by the most eminent persons in the Roman Church is then described. Thus Bellarmine maintains—

"That whatever doctrine it pleases the Pope to prescribe, the Church must receive; there can be no question raised about proving it; she must blindly renounce all judgment of her own, and firmly believe that all the Pope teaches is absolutely true, all he commands absolutely good, and all he forbids simply evil and noxious. For the Pope can as little err in moral as in dogmatic questions. Nay, he goes so far as to maintain that if the Pope were to err by prescribing sins and forbidding virtues the Church would be bound to consider sins good and virtues evil; unless she chose to sin against conscience (*de Rom. Pont.* Part IV, 5 Ed., Paris, 1643, p. 456)."—p. 391.

It remains to be seen whether circumstances will be strong enough to break up the Jesuit influence. We very much doubt it. And even if it should receive some check, and the national spirit partially re-assert itself in Europe against the supernatural claims of the Papal monarchy, the Order will prove itself, as it has done before, so necessary to the very existence of Catholicism, that it will ultimately remain master of the situation—until the foundation itself of a supernatural church at all comes to be honestly examined. One sphere of Jesuit action, namely, that of education, is described as existing in Germany in the "Studien" noted below.⁴

The sermons of Father Lacordaire are very eloquent, but entirely deficient in argument.⁵ His fundamental plea in contradiction to the

⁴ "Studien über das Institut der Gesellschaft Jesu mit besonderer Berücksichtigung der pädagogischen Wirksamkeit dieses Ordens in Deutschland. Von Dr. Eberhard Zirrgebl. Leipzig. 1870.

⁵ "Jesus Christ." Conferences delivered at Notre Dame in Paris. By the Rev. Père Lacordaire of the Order of Friar Preachers. Translated from the French, with the author's permission, by a Tertiary of the same Order. London: Chapman and Hall. 1869.

Straussian theory of a mythical origin of the Gospel narratives consists in an assertion that myth has never been known to develop itself in an age of writing. The whole Roman hagiology proves the contrary, which presents throughout, the embodiment of ideas in historical form, and fragments of truth overlaid by imaginary accretions. The Christianity of Lacordaire is of course that of the Roman Church, and he ventures to tie together the miracles of the Gospels with the miracles of the church—for all wonders culminate in Rome when “the old man advances, borne in a chair above the crowd, bareheaded, and holding in his two hands, under the form of mysterious bread, that man of Judæa aforetime crucified.”—p. 101.

In the Preface to the English edition of “*The Early Years of Christianity*,”⁶ M. de Pressensé, speaking of Protestant Christendom, observes:—

“There is not a single religious party which does not feel the need either of confirmation or of transformation. All the churches born of the great movement of the sixteenth century are passing through a time of crisis. They are all asking themselves, though from various stand-points, whether the Reformation does not need to be continued and developed. Aspiration towards the Church of the future is becoming more general, more ardent. But for all who admit the divine origin of Christianity, the Church of the future has its type and ideal in that great past which goes back not three, but eighteen centuries.”—p. ix.

In order to be able to claim the authority of the Apostolic age for the Church of the future, as he himself would desire it to be developed, the author has to set aside several interpretations of the primitive Christian documents. For he finds himself, 1, in antagonism with the hierarchical and sacramental scheme, which has its principal representative in the Roman Church, but is also essential to all the episcopally constituted Churches, and if not originally essential to them also, is manifestly at work in the Lutheran Churches of the present day; 2, he has to clear himself from all imputation of adopting such a theory of the natural origin of Christianity as is suggested by the freer section of the Tübingen critics; and, 3, he has to relieve his Evangelical doctrine from the harsher forms which characterize the Augustinian and Calvinian schemes. He therefore presents a plausible and temporizing Protestantism, acknowledging a miraculous origin of Christianity—taking, indeed, the miraculous origin as an axiom in common with the Roman Church, but denying the inferences of the Roman theologians as to a miraculous continuity; admitting, also, and within a very limited range exercising, a right of criticism upon the earliest Christian records. The general effect is to set forth a compromising scheme, not by any means candid or thorough, and giving the impression that awkward topics have been avoided and odious conclusions suppressed. Nothing indeed can be more unsatisfactory than his manner of dealing with miraculous stories, such as that of the day of Pentecost. We must here, he says, “carefully distinguish

⁶ “*The Early Years of Christianity.*” By E. de Pressensé, D.D., Author of “*Jesus Christ: His Times, Life, and Work.*” Translated by Annie Harwood. London: Hodder and Stoughton. 1869.

the religious fact from the attendant circumstances and figurative symbols." The spiritual miracle consisted in an illumination of the understanding and in an influence upon the heart; of this inward miracle "the mighty rushing wind, the tongues like fire which rest upon the Apostles' heads are sublime types."—(pp. 6–8.)

Whether they be types or no, did they happen visibly, palpably, on the material scene? Were they types, invented by the author of the Acts, or events which actually occurred, having a significance and correspondence with other events in the world of spirit? The author floats in entire uncertainty between fact and symbol and thing signified. So he leaves his reader with no guidance for decision as to the nature of the gift of tongues. He thinks the problem beyond solution. He leans away from the supposition that it was a power of speaking foreign languages intelligibly, for there is no trace that even the apostles in writing or speaking were endowed with any such gift. He rather supposes it was a speaking in an ecstatic or ineffable [?] language, but there may have been a marvellous power in it which triumphed over the diversity of dialects, and so the strangers then gathered together from all parts of the world may have fancied they heard the sounds of their several languages. This is certainly not what the narrative says. And we do not see how a miracle can be esteemed a divine manifestation, in any sense of the word, if we cannot form some definite conception of what it was that really took place. M. de Pressensé's notice of the destructive miracle of Ananias and Sapphira is as follows:—

"The discipline of the Church shares the miraculous character of this period, as is shown in the history of Ananias and Sapphira. Their death—which, it may be observed, does not necessarily imply their perdition, since there may have been a coincident awakening of conscience—is the effect of the direct and terrible discipline of the Divine Spirit."—p. 27.

Thus, rather than acknowledge the obviously legendary character of the story, the author entangles himself in a serious theological difficulty, especially considering his theories of conversion, judgment, and eternal hell. His solution puts us in mind of the epitaph on the drunkard's tombstone—

"Between the stirrup and the ground,
I mercy sought and mercy found."

The state, indeed, of Protestantism in France is pitiable. With the exception of a minority which, whether right or wrong in particular conclusions, is true to the principle of Reform, the greater part are not so much convinced in the sense of orthodoxy as oppressed by the influence of a worn-out statesman. If the fundamental principle of the Reformation is the freedom of the conscience and the liberty of examination, with the right of ascertaining and of interpreting the Scriptures, we see how far from that principle M. de Pressensé has travelled, whose Protestantism is tied up in an antiquated confession of doctrine, and who can admit only such interpretation of the Scriptures as is consistent with it. Nor must the friends of free religious profession be deceived because M. de Pressensé is an

advocate of the separation of Church and State, and of the liberation of religious communions from State control—for emancipation from State control may be dearly purchased by subjection to ministerial oppression and to synodical tyranny. In England, it is true, dissatisfied portions of Dissenting congregations may split off, and at their spiritual cost, as they often feel it, become recognised in their turn as substantive religious communities; but such extent of liberty does not exist in France. Thus there has formed itself an “orthodox Protestantism”—which is, properly speaking, a contradiction in terms—although it exists likewise in the great majority of our own Dissenting congregations. Such Protestants have rejected certain doctrines of the Romish Church merely in order to substitute for them certain other doctrines of their own. They reject the notion of a supernatural commission given to the Pope, and very likely that of a supernatural transmission of Divine authority in any episcopal or other ministerial succession: but, however they come into possession of it, they claim to be in possession of Divine and certain truth. The large majority of Evangelical Churches hold as unflinchingly as the Romanists the maxim, “*extra Ecclesiam nulla salus*”—they themselves being the Church. As to the orthodox French Protestants—

“Aux termes d’une déclaration rendue en assemblée générale, sur la proposition de M. Guizot, tout protestant fidèle à l’église doit souscrire—1. A l’action surnaturelle de Dieu dans le gouvernement du monde et dans l’établissement de la religion chrétienne; 2. A l’inspiration divine et surnaturelle des livres saints, et à leur autorité souveraine en matière de religion; 3. A la divinité éternelle et à la naissance miraculeuse de Jésus-Christ, Dieu-Homme, Sauveur et Rédempteur des hommes. Quiconque repousse l’une ou l’autre de ces trois affirmations n’est plus protestant.”—p. 315.

The immediately foregoing extract is taken from a volume consisting of Letters by M. Leon Richer, which have appeared in the *Opinion Nationale*.⁷ They are for the most part concerned with the oppression of religious liberty ensuing in France from the supremacy of the Roman Catholic Church. This oppression is due partly to the machinery of the priesthood, which is enabled to penetrate the whole of society, claiming throughout it to speak as with the voice of God, not only on the mysteries of the dogma, but also on all moral questions concerning life and conduct. Envious of the national society in which it moves, while it is alien from its emotions, hopes, and fears, its efforts and ambitions, the priesthood revenges itself for this enforced isolation by intruding itself into the whole private life of the people, poisoning domestic joys, embittering domestic sorrows, subjugating the feeble, crippling the strong, disturbing weak consciences, with an easy sentence for the powerful sinner; or, as the prophet has it, “With lies ye have made the heart of the righteous sad, whom I have not made sad; and strengthened the hands of the wicked that he should not return from his wicked way, by promising him life” (Ezek. xiii. 22). It maintains the power of an order, here and now, in the midst of a civilization which, with all

⁷ “Lettres d’un libre-penseur à un Curé de Village. Par Léon Richer. Deuxième Série.” Paris. 1869.

its faults, has learnt what it has learnt of good and useful and true without the help, and in spite of the priesthood; it maintains that power by the alarms of women, by the terrors of the deathbed, and of imaginary flames beyond the grave, trafficking not only in the fears of the dying, but in the agonies of survivors; for those flames are too real to the bereaved mother, the afflicted widow, the helpless child. The priestly doctrines, it is true, have their flattering and soft, as well as their harsh side; over against condemnation is forgiveness; over against purgatory is absolution—the priest having the keys. M. Léon Richer has put extremely well that the whole of this priestly administration is founded upon a baseless and immoral theory, on the theory of forgiveness; and his observations on this point will apply in a degree to other ministries, and to other doctrinal systems besides the Roman.

“Si vous étiez bien persuadé, monsieur, qu’aucune faute ne peut être effacée par le pardon, même par le pardon divin; si vous appreniez à vos ouailles que toute action, bonne ou mauvaise, produit inévitablement son effet, et qu’il n’appartient à aucune puissance d’en atténuer les conséquences logiques; croyez-vous que la moralité ne serait pas plus grande parmi les hommes? Votre promesse incessante du pardon n’est rien moins qu’un encouragement à pratiquer le mal toutes les fois qu’on y trouve profit. La certitude qu’*aucun effet ne peut être détaché de sa cause*, et que Dieu ne peut annihiler sa loi, serait au contraire une excitation puissante vers le bien. Songez-y. Lorsque vous enseignez, au nom de votre Eglise, que tout crime peut être effacé par l’absolution du prêtre, vous niez la logique divine, la justice divine, l’immutabilité des lois divines, sans lesquelles aucun ordre ne peut exister. Vous faites plus encore, vous ébranlez les bases même de la morale.”—pp. 243-244.

But without this doctrine of forgiveness, so thoroughly Oriental in its origin, there could exist no Roman priesthood, the Patristic and Mediæval creeds would have died out, and the Protestant ministries would have been altogether different from what they are. Equally wide in its application is what the author says on the subject of “Grace,” that is to say, the doctrine that it is of God’s free gift, goodness, and favour, some are saved, others left to perdition. This doctrine is equally hideous, whether in connexion with Roman and episcopal theories of the sacraments, or with congregational theories of predestination and election. Moreover, in politics and morals it is a buttress of all oligarchical pretensions and assertions of privilege.

“Si les privilèges et la faveur sont loi divine, pourquoi ne seraient-ils pas loi humaine, la suprême sagesse pour l’homme consistant à se rapprocher le plus possible de la perfection de Dieu? Mais si, au contraire, la faveur et le privilège apparaissent comme de repoussantes iniquités, quelle raison avons-nous de supposer en Dieu cette loi d’injustice?”—p. 227.

These letters are well worth perusal.

The extent to which this doctrine of forgiveness is ingrained not only in the Romish, but also in the Evangelical Creed, may be seen from an extract we make from a “Group of Six Sermons.”¹⁸ The

¹⁸ “A Group of Six Sermons.” By Thos. T. Lynch, Minister of Mornington Church, Hampstead Road, London. London: Elliot Stock. 1869.

Memorials of Theophilus Trinal, Student. By Thomas T. Lynch. Third edition, enlarged. London: Chapman and Hall. 1869.

[Vol. XCIII. No. CLXXXIII.]—NEW SERIES, Vol. XXXVII. No. I. R

author, already well known as "Theophilus Trinal," by no means belongs to a narrow sect of Evangelicalism, and there are passages in these Sermons not easily surpassed for tenderness and beauty. Mr. Lynch, however, speaks mystically of the forgiveness of sin.

"He raised Him up; and through Him, says the apostle, we all have deliverance; for an unforgiven man is a chained man, and the chains are struck off by Christ: an unforgiven man is a frightened man, always looking over his own shoulder for his pursuers; Christ gives him a shelter and a home, and his sins cannot get at him: an unforgiven man is a diseased man, who never does anything easily, never anything to his own content."—p. 69.

There is a Sermon on "Sins borne and taken away," in which the preacher distinguishes between the bearing of sins and the taking them away. The former is the transcendental act of Christ in his suffering for the sins of the world; but the latter is the aspect of the suffering, which has a cogent moral effect upon those who contemplate it, and Mr. Lynch does well, and indeed very courageously, in setting it specially forth.

"If there be any man who, devoting himself against sin rouses the desire for worth in others; devoting himself to the hardest attempts against sin, encourages the weak to do well, and makes them strong in well-doing; allowing grief to fill his heart through the obstruction and cruelties and defilements of sin, making many ashamed of themselves and determined to have no more part with evil that they have hitherto either loved or allowed; if yet further such a one, devoting himself to a work against evil that is a hard one, and one full of grief, falling at last yet arises again in such a triumph as to present a sure and powerful hope to all those that are willing and wishful to do good, does he not take sins away?"—p. 32.

Scholten's "Oldest Gospel" is an elaborate critical inquiry into the relative antiquity and order of growth of the first two Gospels.⁹ It is certainly not possible to give either the precedence over the other *en bloc*. The first form of Marc was probably anterior to the earliest Greek Matthew. Marc clearly represents the earliest type of the history of Jesus. The earliest memoirs of remarkable persons do not dwell on their origin or infancy; but when such particulars have once been placed at the head of a narrative, they would naturally keep their place there. Marc could not have left out a Gospel of the infancy at the head of his story, if such had formed part of his original material; or must we say that to have omitted it would have implied disbelief, and have amounted to passing judgment on it as untrustworthy. Moreover, the author could not have called the preparation of the Baptist "the beginning of the Gospel of Jesus Christ," if he had known of the Angelic Message at the Incarnation, or of the song of the angels and other preternatural accompaniments of the first manifestation of Jesus upon the earth. In the course of his detailed examination of these two Gospels, and in gathering up his results,

⁹ "Das älteste Evangelium. Kritische Untersuchung der Zusammensetzung, des wechselseitigen Verhältnisses, des Geschichtlichen Werths und des Ursprungs der Evangelien nach Matthäus und Marcus." Von J. H. Scholten. Aus dem Holländischen mit Genehmigung des Verfassers übersetzt von D. Ernst Rud. Redepenning. Elberfeld. 1869.

Scholten shows plainly that the mythical hypothesis is fairly applicable to some portions only of the Gospel narratives, other portions are purely legendary accretions, others are mere exaggerations, others have their origin in symbolical discourses, others in doctrines. He supposes Jesus to have exercised in common with many others a healing influence, particularly on maniacal persons; but not to have been a wonder-worker, or to have appealed to signs in attestation of his Messiahship. And thus there will remain a consistent though brief history of the life, death, and teaching of Jesus, the value of which is not to be measured by the bulk of its material, but by the spirituality of its contents, and the undoubted reality of its effects. The miracles of the received Life of Christ being sufficiently explained or modified—the prodigies attending his birth having no foundation in any authority—there remains to be solved the problem of the Resurrection. It has often been noticed that St. Paul lends no support to either of the narratives of the infancy, or to the series of miracles related in the Gospels, or to the Resurrection scenes in which the angels and the Marys play so prominent a part. Scholten, however, urges what is of still greater force, namely, that it is incredible the Apostle should have known of any of the miraculous resuscitations related in the Gospels—of the ruler's daughter, of the widow of Nain's son, of Lazarus, of the saints whose graves were opened at the earthquake—otherwise he could not have insisted so strongly on the resurrection of every "man in his own order," and on Christ being "the first fruits of the dead." And as Paul knew nothing of the miracles above referred to, neither did he suppose a bodily rising of the Lord. Paul believed in His having risen superior to Hades, and in His celestial life. Now this continued life the ordinary Jew could only conceive of as accompanied with a resurrection of the body, after the manner of the resurrection of the dry bones in Ezekiel. With Paul on the contrary, to know Christ and the power of his resurrection was to be conscious of the indwelling in himself of the Spirit of Christ, as an immediate pledge of his own heavenly life. When he speaks of 'witnessing' to the Resurrection of Jesus it is not in the sense of bearing testimony to a material fact. It is precisely the same 'witness' to the heavenly and Divine Order of which John speaks in the Epistle—"This is the witness [not "record." E.V.], that God hath given to us eternal life, and this life is in His Son,"—and puts in the mouth of Jesus in the Gospel, "Because I live, ye shall live also"—that is, a conviction that such a One as Jesus "ever liveth," and those who are His live with Him. In the order in which we read the New Testament this faith appears to be a product and inference from a material miracle, whereas it lay at the root of the story. It is evident, however, whatever we may think of the kind of certitude which belongs to it, that neither any primitive disciple who had such a knowledge of Christ, not after the flesh, but in the Spirit, nor any modern who has a like faith, ought to be stigmatized as an irreligious person because he regards as mere "wood and stubble," what is called the "doctrine" of Christ taking again "His body, with flesh, bones, and all things appertaining to the per-

fection of man's nature, wherewith He ascended into heaven, and there sitteth until he return to judge all men at the last day."

Hilgenfeld's collection of Apocryphal Jewish Literature¹⁰ immediately antecedent or subsequent to the Christian era, is very carefully edited, and very valuable, irrespective of any controversial object which the learned compiler may have had in view. Undoubtedly the examination of these remains has an important bearing on the inquiry into the mode of origination of the New Testament historical writings. It has often been objected to the mythical theory of Strauss, that there was not sufficient time between the commencement of the Christian era and the writing down of the Gospel narratives, as we have them, for the spontaneous growth of myth; and the apocryphal writings of the period may fairly be appealed to for the purpose of showing whether there is evidence of the air being, as it were, so full of the mythical element that it would naturally and necessarily throw the history of Jesus Christ into the mythical form. The tendency, on the whole, of the more recent investigations of the phenomena presented by the Gospels, is to diminish the application of the mythical hypothesis, but to enlarge that of the hypothesis of design in the compiler. Nevertheless, there are in the remains here collected some curious illustrations of the expectations of the Jews concerning Messiah shortly previous to the Christian era. He was expected to recover the kingdom of David from Gentile usurpation and to raise it to the height of glory (Solomon's Psalms, xvii. xviii., A.C. 47): he was to be born of the house of David, was to converse with men, to be taken away into heaven, to return for the destruction of the heathen and the erection of the kingdom of Sion, to last four hundred years: he was then to die with the rest of the human race, in order to revive again, after seven days, with all mankind, and then the general judgment (4 Ezra vii. 28-33, A.C. 30). There are, particularly in the pseudo-Ezra, many parallels of expression, more especially to the first Gospel. And there is one very remarkable tradition recovered—that Ezra, commissioned, with the assistance of five scribes, to re-write by inspiration the sacred books which had been burnt, remained with them forty days for that purpose, after which he was taken up, ἀφῆρήθη καὶ ἀνελήμφθη (4 Ezra xiv. 24-49)—thus supplying a parallel and probable source for the tradition in the Acts, that the ascension of Jesus took place after forty days' converse with the apostles.

The first edition of Schmid's "Biblical Theology of the New Testament"¹¹ was published, posthumously, in 1853. It has sufficiently maintained its reputation to have reached a fourth. It is strictly orthodox, careful, and dry. His notion of writing Biblical history was to give particulars as they are set down in the books, and he does

¹⁰ "Messias Judæorum, Libris eorum paulo ante et paulo post Christum natum conscriptis illustratus." Edidit Adolphus Hilgenfeld. Lipsiæ: Sumptu Fuesiano. 1869.

¹¹ "Biblische Theologie des Neuen Testaments von Christian Friedrich Schmid, Doktor und Ordentl. Professor in Tübingen." Herausgegeben von Dr. C. Weizsäcker. Vierzte Auflage, besorgt durch Dr. A. Heller. Gotha; London: D. Nutt. 1869.

not seem to have understood that a great deal of history may be inferred from a narrative of which the statements by no means correspond to actual fact. He was strongly anti-Straussian and unflinchingly supernaturalist. The Apostolical writings he considered to convey, not only views about truth, but truth itself, to be thoroughly reconcilable with each other, and moreover, the Lutheran theology to be in thorough unison with them.

"The Inner Life,"¹² by Dr. Löber, represents the life of God in the soul of man as generated therein at "holy baptism," and sustained and developed by the "Word and Ordinances." All persons born into the world are born in sin, according to Dr. Löber, and are outside the Divine kingdom; but "the Church" has the right to claim all as its subjects, and to introduce them, by baptism, into the kingdom of God, not merely as a state of privilege, but as a state wherein supernatural "grace" is communicated to the Church member. Apart from the narrowness of its sacramental theory, Dr. Löber's appears to us a sufficiently weak production.

Henry James is the best living exponent of Swedenborgianism. In the "Secret of Swedenborg"¹³ there are met with not unfrequent repetitions, but the hypothesis which underlies the symbolism of the Visions of the Seer, is made intelligible enough, nor is it necessary, in order to understand it, to determine what was the psychological condition of Swedenborg himself. The author considers that some progress has been made recently in religious thought, as indicated in the treatment of the origin of Christianity in such works as *Ecce Homo*. For James has no hostility to Christianity—far from it. "The rational alternative of atheism is not deism, but Christianity, and science would become atheistic at a very cheap, if not wholly gratuitous rate, should it become so only to avoid the deistic hypothesis of creation" (p. iv.). The following is a tribute to the eminence of the Master:—

"Long before Christ, the lover had freely bled for his mistress, the friend for his friend, the parent for his child, the patriot for his country. History shows no record, however, of any but Him steadfastly choosing death at the hands of fanatical self-seeking men, lest *by simply consenting to live* he should become the object of their filthy and fulsome devotion. In other words, many a man had previously illustrated the creative benignity in every form of *passionate* self-surrender and self-sacrifice. He, alone, in the teeth of every passionate impulse known to the human heart—that is to say, in sheer despite of every tie of familiarity, of friendship, of country, of religion, that ordinarily makes life sweet and sacred—surrendered himself to death in clear, unforced, spontaneous homage to universal love."—p. v.

Not that he would "patronize" Christ's humanity in order to extricate himself from the necessity of honouring Him as divine accord-

¹² "Das Innere Leben." Ein Beitrag zur Theologischen Ethik und zur Verständigung mit der mündigen Gemeinde von Dr. Ph. Richard Löber, Pfarrer. Gotha: 1867.

¹³ "The Secret of Swedenborg; being an Elucidation of his Doctrine of the Divine Human Nature." By Henry James. Boston; London: Trübner & Co. 1869.

ing to the definition of the creed, because it is as human that he recognises Him as divine. For the Deity, as he conceives of Him, is not a God aloof from the universe, who created the world with very little trouble some thousands of years ago, and still receives Sunday homage for having done so, occasionally sending messengers to it, or interfering with its movements.

"What I crave with all my heart and understanding—what my very flesh and blood cry out for—is no longer a Sunday but a week-day divinity, a working God, grimy with the dust and sweat of our most carnal appetites and passions, and bent, not for an instant upon inflating our worthless pietistic righteousness, but upon the patient, toilsome, thorough cleansing of our physical and moral existence from the odious defilement it has contracted, until we each and all present at last in body and mind the deathless effigy of his own uncreated loveliness. And no clear revelation do I get of such a God outside the personality of Jesus Christ."—p. 7.

For the Swedenborgian theory of creation, of the interpenetrating Deity, of man, and of the heavens and hells, we must refer to the book itself, and indeed very much recommend its perusal. In the appendix Mr. James lashes the author of "*Spiritual Wives*" somewhat severely.

Mr. Field's "*Home for the Homeless*" is also an application of the Swedenborgian theory of the Universe, both to the varied phenomena of human life and to the explanation of the Christian creed.¹⁴ Relatively to the manifestation of Immanuel, he says:—

"We find a Socrates in this nation; a Moses, a David, an Elijah in that; a Confucius in a third, a Marcus Aurelius in a fourth, a Fénelon in a fifth, a John Wesley in a sixth; while round about the principal stars range thousands of smaller ones, till all notability is lost in the crowd of men. How these men became more especially inspired than their fellows we cannot tell. We can only say that it is by the grace of God. In none of them, on the other hand, do we find an exhibition of God unsullied by weakness; few of them do more than take up some prominent feature of divinity, and display it with unusual lustre. If, however, in the ripeness of time an unsullied exhibition of God himself, in thorn-crowned humanity, can be made—if a man, in all outer respects like ourselves, can appear among us and live the very life of God, and men be wise enough to understand him—then indeed the great wave of the past will have reared its crested head, to rush downward in one ceaseless passage through futurity, till it breaks peacefully along the whole line of the eternal shore."—p. 212.

Humanity must pass through its earlier stages, and be specially trained, before the God-man could come, or rather, his coming be effective; for the "*Maximus Homo*" of the Swedenborgians is something like the "*colossal man*" of a well-known Essay, who must go through various grades of preliminary education before he can appreciate the lessons of the Great Teacher. Mr. Field's tone and temper is gentle, kindly, and conciliatory throughout.

Mr. Clark does not supply sufficient data to enable us to determine in what relation the "*Church of the Future*" will stand to the Church

¹⁴ "*A Home for the Homeless; or, Union with God.*" By Horace Field, B.A. Lond., Author of "*Heroism, &c., &c.*" London: Longmans. 1869.

of the past, and especially the Articles of Faith in the Future to the Articles of Faith in the past.¹⁵ He says:—

“The God whom he [Jesus] preached (by his word, in his life, and in his death), was the one God righteous and just and true, whom his fathers according to the flesh had so long witnessed for and worshipped; now God, not of the Jews only, but Lord and Father of all mankind, without whose providence not a sparrow fell to the ground, in whose sight every human soul was infinitely precious, who willed not that any should perish, but so loved the world that he sent his best-beloved to suffer and to die for its redemption.”
—p. 12.

Neither the maintainer of the ecclesiastical creeds, nor the “modern,” could find much fault with such a passage, though neither would be very well satisfied with it; but in appealing immediately to John as the apostle of love, Mr. Clark raises important questions as to the sense in which “love” is to be understood in the new creed. He had better have left the doctrine of love with Christ himself, or with Paul, its true apostle (1 Cor. xiii.). For the love of John is the love of the “brother:” with him the brethren “are of God and the whole world lieth in wickedness.” That John knew the mind of Christ best, for his Master loved him most, and so “perhaps” (p. 13) they are the Master’s own words, “God is love,” is but a weak foundation for a creed, and “perhaps” does the Master great injustice.

The little book, entitled the “Universal Church,”¹⁶ is worthy rather of being dipped into for the sake of those portions which pull down the old superstitions than for those which describe the organization and forms of worship of an Association which certainly as yet nowhere exists. Sometimes also the author goes beyond his depth, as in his argument concerning free-will. The discussions on Miracles, Inspiration, &c., are very sensible, but there is on the whole too much ground covered, and too many doubtful questions touched upon for the production of much practical effect.

A very curious religious drama, founded upon the legend of St. Agnes, and valuable as illustrating the Provençal Dialect at the commencement of the fourteenth century, was discovered by K. Bartsch in the Library of the Chigi Palace at Rome, which he edits in a learned manner.¹⁷

The Paulus of Max Krenkel consists of Seven Discourses on the History, Doctrine, and Character of the Apostle Paul, delivered before the meetings of the Protestanten-Verein, in 1867, 1868.¹⁸ With respect to the narrative in the Acts of the Apostles the author follows in the main the guidance of Zeller, stating his conclusions moderately and

¹⁵ “The Primary Article of Faith in the Church of the Future.” By William George Clark, M.A., Vice Master of Trinity College, Cambridge. Cambridge: Deighton. 1869.

¹⁶ “The Universal Church; its Faith, Doctrine, and Constitution.” London: Trübner & Co. 1869.

¹⁷ “Sancta Agnes.” Provenzalisches geistliches Schauspiel herausgegeben von Karl Bartsch. Berlin; London: Trübner & Co. 1869.

¹⁸ Paulus der Apostel der Heiden.” Vorträge gehalten in den Protestantenvereinen zu Dresden und Leipzig von Max Krenkel. Leipzig. 1869.

temperately. His judgment respecting the authorship of the Pauline Epistles is very conservative; he admits considerable fragments of the Pastoral Epistles as the work of the Apostle. The spirit of Paul is justly described as the spirit of freedom and protest against hierarchism and literalism. The influence of this great Apostle ceased to act when, after the great wave of persecution had passed over the Christian communions, the Church began to organize itself upon the principle of authority. Luther, it is true, appealed to several of the Pauline principles, but, the author does not shrink from saying, was far from faithful to them, falling back into a servitude to the letter of Scripture, from which at one time he had begun to free himself, and fettering the Church with symbols and creeds from which it has never yet been able to free itself. These addresses illustrate the fundamental theoretical principle of the Association, without entering on any questions touching their application to ecclesiastical practice.

Mr. Ker's discussion of the question of Everlasting Punishment¹⁹ is strictly confined within Scriptural limits: the corner stone of his argument being that there is nothing in Scripture to show the natural and necessary immortality of the human soul. And he considers the true Scriptural view to be that the souls of the wicked will die out, and those only who participate in the benefits of the Redemption be continued in immortality. Thus he avoids the horrors of the Augustinian Creed on the one hand, and the moral dangers, as he conceives them, of Origenism on the other. Mr. Ker considers himself a member of the great Evangelical party, holding all the "doctrines of grace," "justification by faith in the God-man," "imputation of Christ's righteousness," and the like, and he expresses with great *naïveté* his astonishment that his Evangelical brethren "scowl at the views" of himself and his friends, "give them all sorts of hard names," "shrink from their sides at public meetings," and so forth (pp. 8, 9). His Evangelical friends are more sharp-sighted than Mr. Ker: they see plainly that unless the necessary natural condition of human nature in the world to come is one of hopeless suffering, there is no *dignus vindice nodus* for the intervention of the God-man, the Incarnation, Atonement, and connected doctrines.

Though we could not speak in very high commendation of the "Twelve Sermons" in a recent Number, we must now speak far less favourably of the reply.²⁰ The Jew was not very strong in his points; the Christian is sophistical in his: and if he makes a surrender of an untenable assumption, endeavours to avoid the consequence in at least an illogical way. We take one passage relating to the alleged pro-

¹⁹ "The Popular Ideas of Immortality, Everlasting Punishment, and the State of Separate Souls, brought to the Test of Scripture." A Series of Discourses delivered in the Parish Church of Tipton, Staffordshire, in 1863-4; and affectionately dedicated to the members of his congregation. By the Rev. William Ker, M.A., Vicar of Tipton, Author of "The Bible *versus* Geologists," &c., &c. Second edition. 1870.

²⁰ "On some Points of Dispute between Jews and Christians." Being an Examination of Twelve Sermons by Dr. Hermann Adler. London: Longmans. 1869.

phcey, "A virgin shall conceive," &c. (Is. vii. 14). The "Examination" says:—

"Let it be granted that the labours of the critics to restrict the meaning of *Almah* within the limits of our own term 'virgin,' are all in vain, because it is sometimes used for 'young woman' [and it should have been added, of young women by no means intending to be *ἀνταρθεῖναι*]; let the name Immanuel, 'God with us,' be classed with Michael, 'Who is like unto God,' with Eliezer, 'God is my help,' and even with others, such as 'the Lord my banner,' applied to an altar because it was erected to glorify God; admit that 'the Lord our Righteousness,' Jer. xxiii. 6, xxxiii. 16, cannot be taken as a proof of the divinity of the Messiah, because the same title is applied to the city of Jerusalem; let the *Almah* be the wife of the prophet, and let Maharschalhashbaz be the child whose birth is predicted—all this does no injury to the Christian cause."—pp. 18, 19.

Yet it seems to take away all pretension of the passage in Isaiah having contained any prediction concerning Christ; and, moreover, "Matthew does not say that these words were intended to announce the incarnation." So it amounts to this, that the incarnation, being assumed to be true, supplied a fulfilment of the prophecy in a sense which had not been previously perceived in it. But the application of secondary fulfilment requires the establishment of the second fact before it can arise. It is a gross arguing in a circle to allege the incarnation as proof that the words of Isaiah contained a double prophecy, and then from the prophecy to prove the truth of the incarnation. The examiner also should have been above seeking to throw dust in the eyes of the Jew, who may be supposed better acquainted with the criticism or traditional interpretation of the Hebrew Scriptures than with recent controversies on the Origin of the Gospels. The *de haut en bas* style of the following is very mean:—

"It is a pity that the preacher, before he thus took his stand side by side with the modern opponents of the Bible, who have even sought to deprive the Old Testament of its authority, had not first read the Essay by Dr. Tischendorf, the discoverer of the Sinaitic MS., who has proved to a demonstration that the four Gospels were in use, and even included in the sacred canon before the end of the first century."—p. 29.

"Proving to demonstration"—a thing so easy to say, and so easy to meet with equally strong assertions on the other side. Every one knows that a "sacred canon" of the New Testament did not exist till long after the first century. If Dr. Adler thinks well by himself or his friends to reply to this glorification of Dr. Tischendorf, and to this vapour about the canon, we hope he will refer to Reuss, and to the works of Prof. Scholten, which are translated into German, one noticed in the present section, and the others whose titles we give below.*

It is somewhat startling to meet with a learned and laborious author in these days gravely setting himself to ascertain the site of

* "Das Evangelium nach Johannes, u. s. w. von J. H. Scholten," übersetzt von H. Lang. Berlin. 1867.—"Die ältesten Zeugnisse betreffend die Schriften des Neuen Testaments von J. H. Scholten," übersetzt von Carl Manchot. Bremen. 1867.

the Eden of Genesis, and to identify the rivers which are said to have issued from it. Such however forms part of Ernest de Bunsen's undertaking in the first volume of his "*Unity of Religion*,"²¹ just published in German. Of the mass of considerations, geographical and ethnological, which he brings to bear upon his problem, it would be impossible to give any intelligible abstract. He gathers together an immense amount of facts, from which he draws inferences of various degrees of probability and improbability. For those who are already enamoured of such kind of speculative antiquarianism, this volume (and no doubt its successor) will prove a very rich treat. Those who have not yet embarked in such inquiries, we cannot recommend to commence with Ernest de Bunsen. Suffice it to say that he places the Eden of Genesis ii. in the north-west of the Himalaya, and that he identifies the four rivers with the Indus, the Oxus, the Tigris, and Euphrates, although he cannot pretend the two couples to be connected by their heads, which, if there be any geographical truth in the description in Genesis, they ought to be. The object of the whole, as far as we can understand it, seems to be something like this, to make the conclusions already ascertained on philological grounds concerning the cradle of the Aryan races in the Himalaya, the traditions of the Bundehesch and Zendavesta, and those preserved in Genesis confirm each other, in order to prove the original seats of the pre-adamite men to have been in the valleys of the Himalaya. Obtaining time enough, he thus is enabled to reduce the Semites, the Aryans, and Turanians to a common stock, itself the result of previous fusion or mixture. And the whole appears intended to illustrate the author's favourite theory of the transmission of a secret divine lore from the earliest times, whereby he accounts for the unity in diversity which is characteristic of human religion. Not being ourselves depositaries of the "*Geheimlehre*," we may be excused for saying that the learned author appears to us to have gone a long way about in order to draw many entirely baseless conclusions, and nearly as far about in order to draw a few that are probably true.

There is no particular value or interest attaching to the portions of the Ante-Nicene Fathers embraced in the two volumes now issued by Messrs. Clark,²² excepting, however, the well-known Octavius of Minucius Felix. It is therein seen how little the arguments of the apologist, towards the end of the second or beginning of the third century, resembled those of the modern defenders of Christianity. We have nothing like "*Evidences*;" no proof from miracles; no doctrine of the Trinity, or even of the Divinity of Christ; no justification by Faith:

²¹ "*Die Einheit der Religionen im Zusammenhange mit den Völkerwanderungen der Urzeit und der Geheimlehre von Ernst von Bunsen.*" In zwei Bänden. 1 Band. Berlin; London: Trübner. 1870.

²² "*The Writings of Cyprian, Bishop of Carthage.*" Vol. II. Containing the remainder of the Treatises, together with the Writings of Novatian, Minucius Felix, &c. Translated by Rev. Rob. Ernest Wallis, Ph. D., Senior Priest Vicar of Wells Cathedral, &c.

"*The Writings of Methodius, Alexander of Lycopolis, Peter of Alexandria, and several Fragments.*" Edinburgh: T. & T. Clark. 1869.

there is a hope of a resurrection, but not founded on the Resurrection of Christ, nor on any miraculous attestation, but on the analogy of nature. Imputations against the morality of Christians are repelled and retorted upon the heathen. The purer Christian life is dwelt upon, and the exemplary patience of Christians under persecution. And so, in fact, Paganism fell by reason of its inherent corruption: and Christianity, presenting a better moral system as exhibited in the lives of its then professors, took its place.

The Translation of Gesenius's Hebrew Grammar affords a very good practical Introduction to the Language, for the use of the English student.²³ The introductory remarks on the Semitic languages in general, and on the history of the Hebrew in particular, are necessary and sufficient, without launching into vain philological theories. It is essential that the learner should master this Grammar as he goes on; for instance, in the "Elements," he should by no means postpone the doctrine of the "syllable" and so much of the mutation of vowels and the function of accents as is connected with it. The usage of the perfect, and imperfect (future), and the employment of the "Waw consecutive," is much better term than "Waw converse" of the older grammars, is very clearly set forth. "Consecutive," indeed, does not indicate the "initiative" use which is frequent, but this is explained in the grammar. Scholars are now sufficiently agreed as to the facts, though they differ somewhat as to the phraseology of the subject. There is added a useful graduated Praxis of Bible-Lessons, and Exercises for translation into Hebrew.

The "Analysis of Human Responsibility," by Dr. Irons,²⁴ seems to have been suggested by an alarm that certain theories of Mr. Mill and of M. Comte would destroy in those subject to their influence the sense of "Ought." And he insists, not unduly, on the tendency in modern society and in modern politics to merge individual responsibility in the impulse of a mass. So far are we in these days from taking up heroes to worship, that we worship only majorities. Minorities and individuals, as they are scarcely allowed to have rights, naturally come to fancy that they have no duties. The effectual resuscitation, however, of the sense of duty in the individual depends, according to Dr. Irons, on his acceptance of Revelation—using the word, in this treatise at least, in a somewhat abstract way, and without necessarily confining it within any particular theological or ecclesiastical system—as, for instance, of the Christian Creed or of the Anglican Church. The author's

²³ "Student's Hebrew Grammar." From the twentieth German edition of Gesenius's Hebrew Grammar, as specially prepared and improved by E. Rödiger, Ph.D., D.D., Professor of Oriental Languages in the University of Berlin; with his co-operation, translated by B. Davies, LL.D., Ph.D., of the University of Leipsic, with Reading Book and Exercises by the Translator. London: Asher & Co. 1869.

²⁴ "Analysis of Human Responsibility." By William J. Irons, D.D., Prebendary of St. Paul's, Vicar of Brompton. Being Three Papers read before the Victoria Institute, or Philosophical Society of Great Britain, on February 1st, March 1st, and June 7th, 1869. London (published for the Institute): Robert Hardwicke. 1869.

foundation principle, however, appears to be this : that finite responsible agents require guidance ; their individual sense of duty is liable to be overborne, and in various relations to be obscured and perverted. There must in such cases be a Supreme One to appeal to. But we fear that the *nodus* is as it is, notwithstanding the presence of the Supreme, and that the condition of moral weakness, uncertainty, and conflict which is deplored, is the outcoming of the very constitution of things which the Supreme originates, sustains, and, in some sense or other, ordains. In other words, we should say that the difficulties presented by the moral world arise after Revelation, which Dr. Irons would lead us to hope Revelation might remove. He does not, as we have said, here limit the application of the term Revelation. It expresses properly the giving of information or knowledge. It is not in its use in this treatise confined to supernaturally conveyed information, although such communication, if such there be, is not excluded. There is no reason for contesting that the communication of knowledge is calculated to operate on the formation of the moral character. And this will be so, whether the knowledge be communicated in an ordinary or extraordinary way, be of an ordinary or extraordinary kind. There is also another powerful contributor to the formation of the character, supplying strength *ab extra* to the individual, giving clearness to his moral perceptions, and strength to his will—that is, personal influence, which all are conscious of in their social relations. Analogous to this is the personal influence of the Supreme Being, or Grace. Dr. Irons does not define Grace as an ordinary or extraordinary influence, or as mediate or immediate, any more than he defined Revelation as natural or supernatural. But we rather feel, in reading the treatise, that assent is invited to propositions of which the important terms are as yet ambiguous. It is not necessary to deny “Grace” in the general sense of Divine influence, nor even to deny immediate Divine operation ; but the Theist, as distinguished from the Supernaturalist, supposes the Divine action to be large and universal, though not necessarily uniform. Such an eminent Divine, for instance, as Bishop Heber, and his still more eminent master, Jeremy Taylor, would reduce one capital question about Grace—*i.e.*, whether given to non-Christians as well as Christians, to a merely verbal one, in admitting a “non-Evangelical operation of the Divine Spirit” upon the human being. Then there is the question of “Sacramental Grace,” as to which Dr. Irons does not say what bearing the admission he asks for is intended to have upon it. For the Zwinglian will admit “Grace” operating through means upon the human being according to the laws of his nature, although there is nothing extraordinary in this, nor specially divine : then there is the Calvinistic theory of Grace supposed to act upon the individual soul immediately and out of the common, although to the psychologist the natural process of the operation is usually traceable enough, as in the case of the phenomena of excited religious meetings and revivals. Nevertheless, with some necessary reserves, we like the way in which the Essay is done very well.

In the course of discussions respecting unsectarian or secular education it is often urged against the advocates of the freer schemes that religion can only be taught in the way of catechism, creed, or doctrine ;

and that there can be no teaching of morality unless it is founded upon religion so learnt. We commend, as bearing on this controversy, the following passage from a celebrated treatise which we are glad to see reprinted in a revised English version :—

"The first and most necessary instrumental for conveying ethical information to the altogether untutored, would be an ethical catechism. It ought to go before the religious catechism, and to be taught separately and quite independent of it, and not, as is too often done, along with it, and thrust into it as it were, by parentheses; for it is singly on pure ethic principles that a transit can be made from virtue to religion; and when the case is otherwise, the confessions are insincere. Upon this account it is that our most celebrated theological dignitaries have hesitated to compose a catechism for the STATUTABLE FAITH (creed), and thereby to stand, as it were, surety for it; whereas one might have thought that so scanty a service was the very least we were entitled to expect from the vast stores of their learning."

"On the contrary, the composition of a pure moral catechism as a ground-sketch of the moral duties, does not lie open to the like scruple or to the same difficulty; the whole matter of it admitting of being evolved out of every person's common sense, and its form only requiring adaptation to the didactic rules of an elementary instruction."—pp. 289, 290.

A short introduction is prefixed to the issue of this Treatise²⁵ by Professor Calderwood, giving some account of the works of Kant, especially of his ethical writings. With a carefulness which cannot surprise us when we remember that Scotch professors have the fear of Synods before their eyes, he informs us that in the brief account given of Kant's system, "the work on Religion within the bounds of pure Reason is kept out of view, as outstretching the region of philosophy, while applying to the sacred Scriptures a method of interpretation altogether unwarranted." The questions suggested by the writings of Kant are fairly stated in brief, for Professor Calderwood by no means undertakes to say that Kant has settled all the questions that he has raised: thus it may well be doubted if he has established the freedom of the will; nor has he shed any light on the genesis of the consciousness of "ought."

Oxford tutors have long been fond of translating Aristotle's Ethics. Whatever changes and chances may befall the University, we hope the Stagirite will long maintain his place; and the undergraduates be made to construe him *visà voce*, as of old. Nevertheless versions are useful and good for various purposes. Mr. Williams's seems well adapted, as far as we have looked at it, for presenting the Greek philosopher to the general English reader in an intelligible form, without any notes or learned apparatus to deter him from perusal²⁶.

²⁵ "The Metaphysic of Ethics." By Immanuel Kant, Prof. of Logic and Metaphysic in the University of Königsberg. Translated by J. W. Semple, Advocate. New edition, with an Introduction by Rev. Henry Calderwood, LL.D., Prof. of Moral Philosophy, University of Edinburgh. Edinburgh: T. and T. Clark. 1869.

²⁶ "The Nicomachean Ethics of Aristotle." Newly translated into English by Robert Williams, B.A., Fellow and late Lecturer of Merton College, and sometime Student of Christ Church, Oxford. London: Longmans. 1869.

POLITICS, SOCIOLOGY, VOYAGES AND TRAVELS.

AT the present critical epoch of the Irish Land Question we are fortunate in being able to lay side by side two eminently able treatises on the subject, representing in their least exaggerated and objectionable form the two main lines of policy, to one or other of which all consistent thinkers are disposed to incline. They may be roughly characterized respectively as the "status" or moral view, and the "contract" or legal view. The supporter of the first view is Mr. George Campbell,¹ who brings all his experience as Chief Commissioner of the Central Provinces of India to bear upon what he, as we believe rightly, regards as the strictly affiliated problem of Ireland, and whose work, purporting to give the results of two visits to Ireland in the last spring and autumn, cannot be regarded as less than presenting a marked era in the history of the land controversy. Mr. Sargent² approaches the matter with very different sympathies, and advocates a very different solution, though it must be conceded to him that he exhibits a thoroughness and honesty of purpose, as well as a clearness of vision, within the limits to which that vision reaches, which claim for what he writes the most serious attention and deference. Mr. Campbell omits no conceivable view of the existing Irish perplexities, and he succeeds, through a skilful manipulation of elegant language, which is doubtless the result of his long disuse of current English models, in exactly portraying the true relations of the different classes of the Irish population to each other in respect of the national soil. He distinguishes keenly and cautiously between (1) the real and confessed *contract* tenant, mostly existing in the immediate neighbourhood of Dublin, and who is recognised as well by himself as by his landlord and all others to be in exactly the same situation, for all purposes whatsoever, as the English tenant-farmer; (2) the *tenant-right* farmer of Ulster and of some other parts of Ireland, where the custom of tenant-right (which Mr. Campbell clearly elucidates and historically explains) is fully and adequately recognised on the part of the landlords and of all other persons; (3) the tenant in the other parts of Ireland, where the custom of tenant-right has not obtained the practical recognition it meets with in Ulster, though its principles are none the less deeply imbedded in the sentiments of the whole population. The last class of tenants may again be redistributed into those who by force, that is, by terrorism, do in fact succeed in getting their own way, and those who do not get their own way, but simply emigrate or go to make up the discontented classes of the Irish population. Mr. Campbell investigates the different modes suggested of remedying the evils complained of, and his Indian experience disposes him far more to pay heed to the existing and long ingrained senti-

¹ "The Irish Land." By George Campbell. London: Trübner. 1869.

² "Essays of a Birmingham Manufacturer." By William Lucas Sargent. Vol. I. London: Williams and Norgate. 1869.

ments and antipathies of the population than with Mr. Sargant, to make everything subservient to bringing about sooner or later the English system of culture by the joint contribution of landlord, farmer, and labourer. It is alleged that in Ulster the purely agricultural population is thriving in the highest possible degree, the smallest rents are regularly paid, and the existing system of tenant-right is found to be far more effectual even than a system of peasant-proprietorship could be, in preventing the subletting and subdivision of farms, in providing for improvements, and in securing that the members of the family likely to cultivate best should succeed to the right of ownership. Mr. Campbell insists that the topic can never be fairly or hopefully approached unless a certain kind of actual co-proprietorship is admitted to exist as between the landlord and the farmer now cultivating the land. The two distinct forms in which the main remedial suggestions have embodied themselves are "fixity of tenure" and "compensation for improvements." Mr. Campbell points out with great skill and exquisite felicity of style that if an intelligible and equitable meaning is put upon both of these expressions they ultimately meet in a recognised arrangement almost exactly identical with the Ulster tenant-right. To such an arrangement, where found, and only where found, to exist by local custom, Mr. Campbell would give the effect of law, and he would hand over the working of this law to a permanent and suitably constituted commission. Thus improvements would be assessed not by their advantage to the landlord, but by their marketable value, or by the amount the tenant had actually expended upon them, the presumption being that they were made by him, in default of evidence to the contrary being provided by the landlord; and only such grounds for eviction would be admitted as would, at present, approve itself to public opinion under the existing system of Ulster tenant-right. This is only a slight sketch of a work which is about the most valuable one on the subject which has yet appeared.

Mr. Eugene Oswald³ has done a great service to liberal politics by translating and taking special measures to circulate widely a detailed account of the constitutional changes that have recently been brought about in the confederate canton of Zurich. There is something very stimulating in thus desecring, as through a telescope, what may hereafter prove to be the universal form that every democratic constitution (and every constitution will be such) will finally be moulded into. The main features in the new scheme are partly formal as regards elections, and partly material as regards laws. Both one and the other are henceforth to be directly subject to the more immediate interference of the people. Over and above rights of proposal reserved to the council (as elected by the people) itself, and to any individuals gaining the assent of the council, if the thirteenth part of the people, amounting to 5000 persons, agree upon any proposal, it must be submitted to the vote of the whole people. Other liberal changes in the matters

³ "Direct Legislation by the People, *versus* Representative Government." Translated from the original Swiss pamphlets, by Eugene Oswald. London: Cherry and Fletcher. 1869.

of marriage, capital punishment, taxation, and the liberty of the subject are also provided for.

The growing interest that is attaching in other countries to Mr. Hare's scheme for the representation of minorities, and the improvements upon it suggested by one and another eminent English writer, is manifested by the late "*Projet de loi*"⁴ recommended by the Great Council of Neuchâtel, and the strong recommendation of the committee of the United States Senate.⁵ "Cheap elections, just representation, contentment among the people," are only a few of the gains anticipated.

Speeches are to our mind not very agreeable reading, and indeed it may often happen that the better a speech is, and the more adroitly adapted it is to the actual audience under the fleeting circumstances of the moment at which it is spoken, the more of it is likely to be lost when it is read or reproduced again. But the speeches of English statesmen, and pre-eminently those of Mr. Gladstone,⁶ are public manifestations addressed to all whom they may concern. Mr. Hotten has made a good selection of Mr. Gladstone's speeches, whether the success of the selection be measured by the variety and amount of intellectual power it suffices to set forth, or by the actual importance of the topics treated of. The defects of Mr. Gladstone's eloquence are noted in the introduction as being diffuseness or lack of compression, and a total want of humour, his attempts at which are said to be always of a most elephantine and unexhilarating kind.

Mr. Dunlop's "*Church under the Tudors*"⁷ is an investigation of the political history of the Church of England. Looked at in its purely political aspect (and that has been a most prominent one), we quite accept the author's conclusion "that its invariable action has been as an obstruction to justice, an obstacle to progress, a conservator of abuses, and a rancorous promoter of persecution. Nothing but its disestablishment can re-instate its moral character."

The influence of the dwellings of the very poor upon their general health and morality is getting now to be very generally recognised in this country. But a less degree of attention has been attracted to the kind of social effect produced on the skilled and unskilled artisan by the fact of his having furnished or unfurnished lodgings, or his living on his master's premises. The varieties of habitation for workmen are probably less in London than in Paris, and it is accordingly in this last city that the most important statistical investigations have been set on foot with a view to determine the exact influence of different modes of lodging upon the moral condition of artisan lodgers.

⁴ "*Projet de loi sur l'Élection des membres du Grand-Conseil avec rapport à l'Appin.*" Neuchâtel. 1869.

⁵ "Report of a Committee of the United States' Senate in favour of applying cumulative voting to elections of representatives to Congress, March, 1869."

⁶ "*Speeches on Great Questions of the Day.*" By the Right Hon. William Ewart Gladstone, M.P. London: John Camden Hotten. 1870.

⁷ "*The Church under the Tudors, with an Introductory Chapter on the origin of the connexion between Church and State.*" By Durham Dunlop, M.R.I.A. London and Dublin: Moffat and Co. 1869.

A commission was issued by the French Government to make inquiries upon this subject in 1849, and another in 1860, and the result was the publication of a series of tables disclosing facts of the greatest possible social interest. Dr. Laspeyrés,⁸ Professor of Statistics at Dorpat, has availed himself of these tables as a text for the purpose of attaching to it a very useful commentary. These tables divide the dwellings in the different arrondissements frequented by the labouring population, and not by the destitute poor, into (1) furnished and (2) unfurnished lodgings, and (3) master's premises. The unfurnished lodging is generally held to indicate the highest degree of well-doing, and the furnished lodging the least, though, as is pointed out by the German critic, the classification is an uncertain one, and it is best to rely on another general arrangement of dwellings, also given, into good, indifferent, and bad. Now side by side of this distribution is another which is more singular, professing, as it does, to characterize the moral behaviour of all the workmen passed under review, and which, with this view, arranges them also under the heads of good, indifferent, and bad. The general grounds upon which this moral diagnosis is founded are regularity or irregularity in attending work, quietness or turbulence of demeanour, dissipation or sobriety, energy or indolence. Dr. Laspeyrés notices that here again a source of great uncertainty is introduced, as the master supplying evidence of the character of his workmen may not be always qualified, intellectually or morally, for the task, and he might be disposed to give one picture of them one day and a different one the next. Notwithstanding, Dr. Laspeyrés considers the general results of the investigation to be of great value, and to demonstrate that there is a very close connexion between the low mode of life almost necessarily conducted in furnished apartments, and a low morality, and, though it may be true that a lower moral organization has its influence in making the standard of home comfort lower for some workmen than for others, yet the reflex influence of the bad home is none the less to be recognised and deprecated.

The present diversion of public interest in the direction of Ireland has led people to forget that much the same problems are presented in the case of the peasantry of some parts of Scotland. Councillor Campbell,⁹ in a very able review of the causes of pauperism as existing in the neighbourhood of Greenock, tells the same story as that with which we are so painfully familiar. "Where the mistake at first originated was in the State's refusal to recognise Celtic tenure. Under it the occupier was, no doubt, tenant-at-will, but that did not mean the chief's will but his own will." It is suggested that facilities should be granted for the acquirement of small farms at moderate rents, "even though the mode of doing it should jar with technical rules and preconceived notions of order." Other important topics are skil-

⁸ "Der Einfluss der Wohnung auf der Sittlichkeit." Von Dr. Etienne Laspeyrés. Berlin. 1869.

⁹ "Pauperism and the Poor Laws." By Councillor Dugald Campbell, Greenock. Greenock: Orr. 1869.

fully handled, such as the area of chargeability and the law of settlement, modes of administering relief, intemperance, licenses, and the like.

That Emigration should be a matter of earnest and systematic State policy, and that settlers should be provided not merely with money for the voyage, but with all they need for their sustenance, guidance, and moral culture during the first years of their enterprise, is well shown by Mr. Frederick Young. The Emigration question ought always to be treated in company with that of the true relation of England to the colonies; and Mr. Young's essay tends to put the two questions in their true light.¹⁰

Captain Maxse's lecture on "Our Political Duty"¹¹ exhibits a high type of what we should like to see more common—a liberal, moral, and highly stimulating educational lesson to the people on politics.

We have before, when noticing various treatises issued from time to time on the Trades Union question, had to call attention to the fact that the rival disputants are not so much at variance because they deny each other's facts as because one side holds that more facts are concerned in the controversy than are thought relevant to it by the other, and because the two sides differ widely in the moral value they attach to identical facts admitted as true by each. The two pamphlets of Professor Beesley¹² and Mr. James Stirling,¹³ respectively, taken together afford a good specimen of the present state of the controversy. Mr. Stirling looks purely at the economic aspect of the question, and taking up the Commissioners' report, simply asks whether unionism is or is not promotive of high wages, and whether it is or is not capable of being grossly abused, to the detriment both of non-unionists and of unionists themselves? He believes that, looking at this evidence alone, the verdict is clearly against unionism; and he further holds that this verdict only enforces a natural presumption to the effect that individual competition is the true form of all future industrialism, and any institution which conflicts with this is self-condemned as antiquated and retrograde. We may just notice here, that the Comte de Paris' interpretation of the Commissioners' report, and the evidence appended to it, is quite in the teeth of Mr. Stirling's conclusions, even as to the facts. From this interpretation it appeared (1) that unionism kept wages from fluctuating, but did not do much to raise them; (2) that there were the fewest strikes and these the least mischievous where the system of unionism was most highly developed; and (3) that non-unionists, quite as much as unionists, shared economically in all the indirect beneficial effects of unionism. But Professor Beesley's point of view,

¹⁰ "Transplantation the true system of Emigration." By Frederick Young. Second Edition. London: Simpkin, Marshall and Co. 1869.

¹¹ "Our Political Duty." A Lecture by Captain Maxse, R.N. London: Methuen and Son. 1869.

¹² "The Social Future of the Working Class." A Lecture delivered at a Meeting of 'Trades' Unionists, May 7th, 1868. By Edward Spencer Beesley. London: Truelove. 1869.

¹³ "Unionism, with Remarks on the Report of the Commissioners on Trades' Unions. By James Stirling. Glasgow: Madelove. 1869.

which is given in language burning with a caustic vehemence, as it is severely controlled throughout by an unflinching logic, is entirely removed from that of Mr. Stirling. The object Professor Beesley ever keeps before him is the moral and social elevation of the whole of society, of which the working class are far the most numerous, and therefore the most momentous element. For this purpose the capital of employers is to be preserved to them and guarded, solely with a view to a fair and adequate distribution of it among the employed. The employed, on their part, have claims as a body in which individuals are at any particular moment of very subordinate account—and these claims can only be enforced by a thoroughly well-organized system of moral, and, if need be, physical coercion. This very habit of organization is fraught with moral consequences of the richest value. Employers are reminded that competition is not henceforth to be the law of wages, but that all they are permitted to own is only to be regarded by them and others as a sacred trust for the highest advantage of the whole society, which is chiefly composed of those who own scarcely anything. Such are the premisses from which Professor Beesley starts, and which Mr. Stirling either does not recognise, or perhaps would disown.

There are many sides from which the modern problems due to the growing practice of associated labour admit of being viewed. Of two of these sides, the economical and the legal one, M. Hubert-Valleroux's¹⁴ treatise gives a clear and seemingly accurate picture in its French aspect. Indeed, this special aspect is likely to become more and more the European one, as most of the experiments now going on in other countries have already been tried—and, indeed, often lived through very rapidly—in France. M. Valleroux describes the different purposes and mechanism of the existing forms of association among working-men, and dwells more particularly upon projects having in view (1) co-operative production, (2) mutual credit, and (3) *consummation*, or what in England would be called co-operative stores. It is noticed that whereas some countries have shown a facility in developing one or two of these kinds of combination, the circumstances of other countries have seemed to be more favourable to another or other kinds. Thus, Germany and Italy have attended chiefly to the erection of mutual-credit societies, England to the institution of co-operative stores, and France to the development of co-operative production. It is said, indeed, that this distribution is less true now than it was six or seven years ago, France having at present 300 *sociétés de consommation*, and only 120 *associations*. In entering on the legal question, M. Valleroux suggests that in France all those forms of associated effort ought to be treated far more liberally, and independently of the Government of the day, than is now the case. He would do away with the practically useless distinctions between societies having a civil and those having a commercial end in view, though he admits that some societies ought to give greater securities to outside persons

¹⁴ "Des Associations Ouvrières (sociétés co-opératives) et de leur situation légale en France." Par Paul Hubert-Valleroux. Paris. 1869.

relying upon their good faith than is needed from others. The question presents itself as to which of the current legal modes of association is best fitted to carry out the ends of the different classes of associated workmen. It seems that the *Société Collective*, which on many grounds is the most beneficial, especially for purposes of production, is very much shunned by labourers, who stand in awe of the joint and several liability of all the parties. At the close of the treatise is appended a very elegant specimen of law-making, in which the most expedient rules for carrying out severally the three main objects, to one or other of which the chief industrial associations are devoted, are arranged in the form of a short code.

A picture of a German working man,¹⁵ surrounded by all his institutions, whether for education, improvement of his physical condition, or mere pleasure, is supplied in an interesting little work by Mr. Samuelson. Elbfeld, Munich, and Mayence, mostly supply the elements of the picture. Among much else which might well be noticed, it will suffice to call attention to the arbitration court or "Gewerbe-Gericht" at Elbfeld. If a dispute arises between the wealthiest manufacturer and one of the humblest of his labourers, the former may be cited before the court, and he must appear in person. The cost of the process is 3*d.* During the year 1868, 1405 cases were brought before the court. The general intellectual and moral superiority of the German workman to the English is recognised, though the former is held to be at a physical disadvantage.

Mr. Dircks' two pamphlets on the Policy of a Patent Law¹⁶ contain some important observations and suggestions. He is generally in favour of maintaining such a law, and notices that from the time of Queen Elizabeth to October, 1852, when excessive fees became prohibitory duties, the number of patents was so small that their influence on the arts, sciences, and commerce of this country must have been exceedingly unimportant. He suggests that the law should be so amended that less favour should be shown to an Improvement than to an Invention; the term of years for the latter being three, four, or seven years, and for the former one, two, three, or four years. Instead of the Attorney or Solicitor General performing their present functions in respect of patents, Mr. Dircks would have a Commission appointed for mechanical, chemical, agricultural, medical, and some other special subjects, so as to group the patents into the smallest number of classes. The Commissioners should have power to refuse a patent or extend the enjoyment of it beyond the normal term.

The great reach of the science of jurisprudence, as its true limits and nature are getting to be understood in the present day, receives a good illustration from the character of the "*Encyclopädie der rechtswissenschaft*," published under the superintendence of Dr. Holzendorf.¹⁷

¹⁵ "The German Working Man." By James Samuelson. London: Longmans. 1869.

¹⁶ "The Policy of a Patent Law." By Henry Dircks, C.E. "Statistics of Invention illustrating the Policy of a Patent Law." Part II. By Henry Dircks, C.E. London: E. and F. Spon. 1869.

¹⁷ "*Encyclopädie der rechtswissenschaft in systematischer bearbeitung*, her-

The book is most valuable and important, whether looked at as a convenient compendium of materials and facts which it is often difficult in England to get at without great trouble and delay, or as presenting at one view the opinions of leading jurisconsults in Germany, on points of constantly growing interest in all progressive nations. Among the large number of topics either directly or incidentally treated, may be especially noted "The scientific development of the principle of *recht*," "Codification," "Capital Punishment" and "International Law." Not indeed that the selection of these topics gives any notion of the true order and contents of the Encyclopædia. The leading divisions of the work are determined by recognising as severable and independent, (1) the abstract conception of *recht*, and of its appropriate science; (2) the actual historical evolution of such conception in Germany under the terms severally of Roman, Canon, and German common law, together with notices of the history of French, Norman, and English law; (3) the actual legal system prevalent in Germany at this day, whether drawn from a Roman or native source; and (4) Public law, including penal, ecclesiastical, constitutional, and international law, on each of which heads a different essay is contributed, usually by a different hand. In the profound and exhaustive essay on "*Recht* and its science" of Professor Ahrens, with which the work opens, is contained an analysis of all the conditions of man's life in society, with a view to discover the functions of positive law in fulfilling and improving these conditions. This analysis may well attract the attention of Englishmen whose views on these matters are generally narrow and one-sided, even when not darkened by ignorance and prejudice. Professor Ahrens considers Kant's well-known definition of *recht* "as the formal embodiment of the sum of the conditions by which the freedom of each is reconcileable with that of all" to be wanting in the important point of not determining the purpose of the freedom as a means of positive social advancement, and also of not having sufficient reference to distinct and positive ends. The definition suggested as a substitute is "the order regulating the conditions by which free human action is determined in the direction of attaining the proper good of each and all." Each part of this definition is severally analysed and carefully explained. It need not be said that there is no word in English at all answering to the word *recht*, which is here found so difficult to define, and this is simply because the idea itself has in this country hardly revealed itself in consciousness at all, though it cannot but be unconsciously felt and acted upon. Every one of intelligence and ordinary political zeal knows and feels that all positive laws, statutes, codes, and the like, are unknown for the most part to the authors of them, fashioned after a type which is higher and better than themselves, which, if the society progresses, is constantly approached more nearly, and which, it is believed, will one day be actually attained. This type is not morality, because it only touches the actions as directed by the will; and

it is not a mere utopian fiction of the imagination, because it is scarcely thought of at all or even cared for. A tribute, however, is constantly being paid to it under the constantly recurrent phrases of "law of nature," "equity," "law as the perfection of reason," "justice," "fairness," and the like. Now this type is as nearly as possible the German *recht* in its objective meaning. It is the function of the legislator to discover it and to bring his laws as nearly as possible into exact conformity with it. His very act of doing so is a step gained in the elevation of the type itself, because the whole sentiments of the community become guided and raised thereby, and develop a rich life with great possibilities in it. Such is the incessant reaction between those for whom laws are made and those who make them. An interesting part of this work is the essay of Dr. Behrend on "Codification," in which the arguments on both sides of that hotly disputed question are brought down to the present day. It is a very elaborate piece of juridical writing, doing far greater justice to Savigny and the historical school generally than most supporters of codification have done, though the author justly regrets the party-spirit in which Savigny's followers have abused his name and authority. It is rightly observed that law should be expressed in terms the most convenient for the purposes of professional students and practitioners, but also in terms intelligible to the general public. There is no question, however, which is more a matter of time, place, and circumstance, than Codification, and Dr. Behrend properly notices its connexion with political conditions as a necessary medium for bringing about a sentiment of unity in a distracted and separated population. Dr. Gezer's examination of the essential evils of the punishment of death as a penal sanction is well worth reading, and the department on "International law" is valuable both as a compendium of that law as now existing, and as pointing to all the other "literature" of the subject.

Both in a political and judicial point of view a clear exhibition of the main doctrines of Mohammedan law¹⁸ as applied in the courts of justice in India, is a work of considerable importance. Mr. Baillie, in his translation from the *Shurayan-ool-Islam*, which is the main written authority on the subject, enables the English reader to get a pretty exact notion of the actual rules regulating such matters as marriage, divorce, wills, and intestate succession, and such other minor and special matters as "partnership pre-emption," and gifts. A valuable part of this work is an additional treatise on the law of inheritance not hitherto published, and which came into the editor's hands in his capacity of executor to Lieutenant-Colonel John Baillie, and which there is every reason to suppose is part of the original work above mentioned. One main difficulty in thus presenting the doctrines of Mohammedan law in a codified form, is that due to the existence of two opposed schools, the *Sheeahs* and the *Hanifites*. The history of these schools is given in the introduction. The doctrines of the *Sheeahs*,

¹⁸ "A Digest of Mohammedan Law on the subjects to which it is usually applied by British Courts of Justice in India." Part Second. By Neil B. E. Baillie, M.R.A.S. London: Smith, Elder and Co. 1869.

upon which the text is based (the variations in practice among the opposite sect being supplied in the notes), seem to be better on the whole, and, with some exceptions, the most rational and liberal. Thus, in the matter of repudiating a wife, the *Hanifites* do not require *intention* to be established when express words are used; "so that, though a man is actually compelled to use such words, the repudiation is valid according to them. Nor does this sect require the presence of witnesses in any case to the validity of a repudiation; while, according to the Sheeahs, both intention and the presence of the witnesses in all cases are essential." Again, whereas the three leading grounds of exclusion from inheriting the two-thirds of an estate which are not allowed to be disposed of by will, are, according to both schools, infidelity, homicide, and slavery; according to the *Hanifites*, difference of religion generally, and difference of country, are further grounds of exclusion, and accidental homicide has the same effect as intentional homicide. There is a remarkable amount of precision and acuteness conspicuous in the whole code, and the detailed possible cases of fact are provided for with all the nicety and refinement of Justinian's Pandects. There is the further interest attaching to this work that, like all other bodies of law, it is the best possible transcript of the manners and wants of the times during which it grew up. Thus the institution of inheritance by "responsibility for offences" is peculiarly national and characteristic. The person who "took" in this case, on the failure of heirs by consanguinity, affinity, and emancipation, was a person who had entered into a special contract with the deceased to undertake the responsibility for all crimes and offences to be by him committed through error or inadvertency and thereby requiring expiation by fine.

The question as to what was the law of inheritance among the nations of the German stock can hardly be treated as of merely antiquarian interest, when the policy of changing the law of succession to real property is often perplexed by a vague sentiment in people's minds, often having its roots in nothing else than popular and spurious ideas of historical facts. Herr Heinrich Brunner¹⁹ gives us an interesting glimpse of a controversy that has been waging for some time in Germany as to whether the original mode of succession practised among races of the German stock at the time of the foundation of modern European states was that by mere relationship (*verwandschaft*) estimated directly from the deceased, or whether it was through the medium of little groups, of which the deceased was the head of one, and his father the head of the next, and so on (*parentel-ordnung*). It is this last system which has impressed itself so deeply on the real property law of England, and it is the purpose of the author of this treatise to gather evidence from the early authorities upon this law, as Bracton, Fleta, Britton, as well as from the *Grand Coutumer de Normandie*, and the histories of Brittany, in order to establish that, with whatever occasional variations, the notion of always ascending to a common ancestor, and then de-

¹⁹ "Das Anglo-Normannische Erbfolgesystem." Von Heinrich Brunner. Leipzig. 1869.

scending to all his remotest progeny, was the root idea of succession in all the German family of nations. The work is full of interesting and valuable research.

The subject of the expediency of retaining the punishment of death for the highest class of crimes has suffered in its treatment more even than most other political questions through a one-sided and partial habit of approaching it. Herr Heyel,²⁰ in a work replete with compressed learning and thought, has taken a great step in the true direction by considering apart the different points of view in which capital punishment admits of being presented, and by estimating all the main testimony, historical and philosophical, which experience and observation give upon all these points. The author notes that the inquiry is at once a political, a juridical, a theological, a philosophical, and an anthropological one. Unless the affirmative view in favour of maintaining capital punishment can be supported on all these grounds at once, that form of punishment should be abandoned, or at least the hope of abandoning it must ever be kept before the eyes of any nation which, for special exigencies, might be compelled temporarily to maintain it. In heathen times the purely political necessity of such a punishment was the only aspect of it which was entertained at all. In Judaism, the theological references of it absorbed or diverted the attention of the government which retained it. In Christian times, other more complex considerations have been more and more perplexing the minds of legislators, according as the juridical efficacy, the subtle-moral influences, and the philosophical justification, of a death punishment gradually came into question. The author examines in detail the exact degree in which this punishment was upheld in all known nations of the ancient and modern world, and at the close of his work he addresses himself distinctly to the arguments of the upholders of the punishment, whether on juridical, political, philosophical, anthropological, theological, or historical grounds. The arguments on the other side are stated with precision and candour, and a mass of statistical detail, as well as acute criticism, is introduced to rebut them. Under the head of the "Philosophical Stand-point" is contained some very neat reasoning which at once disposes of a cloud of long fixed fallacies. It is pointed out that it may be true that in the world of morality every breach of the moral law should be compensated by an equal degree and appropriate kind of suffering, but in the world of law all that is obtainable is that every crime should be followed by some punishment or other. As to any real equality between the offence and the kind of penalty, all attempts to reach it are merely delusive, and phantasms of the imagination. On the political ground, it is contended that in modern European states the remission of the death penalty lessens rather than multiplies crimes, and at the same time averts other serious political evils. An interesting feature in this valuable work is a list of all the works on either side of the question which have appeared in any country from the earliest time to the present day.

²⁰ "Die Todesstrafe in ihrer culturgeschichtlichen entwicklung." Eine studie von H. Heyel. Berlin. 1870.

The recent debate upon the "Habitual Criminals Bill" has stirred public attention in the direction of a class of facts which too often shun the light of day. When once a criminal is caught and punished somehow or other, everybody is too prone to be satisfied without inquiring farther—how long he is punished, how severely, and in what kind of a way. The safety and moral health of society really turns quite as much upon these considerations as upon the fact whether he is punished at all. Mr. Measor,²¹ in his letter on the "Utilization of the Criminal," betraying careful thought upon, and accurate knowledge of, the details of his subject, resents—(1) all merely profitless drudgery by way of punishment; (2) the habit of measuring in the case of reputed thieves, the length of the punishment, not by the depraved state of the criminal's character, but by the nature of the fresh crime; (3) the arbitrary habits of the local magistracy, and the excessive interference of an ignorant police on a prisoner's release from gaol. Mr. Measor would have new public works undertaken by criminals, and special functionaries appointed, of tried capacity, to look after discharged prisoners.

Mr. Kennedy,²² in the publication of a correspondence arising out of the South Ayrshire election, animadverts strongly on the secret procedure conducted by the Procurators-Fiscal of Scotland, by which they are able to hush up inquiries into grave criminal offences so soon as it appears likely the result may be injurious to the reputation of influential persons.

M. Quetelet's "Physique Sociale"²³ belongs to a class of works which are now being supplied in considerable abundance both from France and Germany, and which are every day becoming of greater interest and importance. They not merely profess to treat the facts of social life according to the severest methods applicable to what is usually called "physical science," but they include among these facts the results of a far larger and more minute observation than it has been customary to lay under tribute till within very recent times. M. Quetelet's special object is to reduce all the apparent irregularities and eccentricities of individual or local action under the domain of invariable law. His method is a severely statistical one, and he wishes to extend the use of this method beyond the limits to which it has hitherto been confined, so as to determine how far merely outward marks, such as a man's height, figure, and weight, may be taken at any moment as signs of corresponding inward states. The author complains that hitherto the only observations of this kind have been made with reference to one or two special epochs in human life, as infancy and maturity. It is desirable for the purposes of the medical jurist, the physician, and others, that the relations of the outward to the inward

²¹ "The Utilization of the Criminal." A letter to the Right Hon. Austin Bruce, by C. P. Measor, Esq. London: William Mackintosh. 1869.

²² "A Letter to the Right Hon. Austin Bruce, by the Right Hon. Thomas Francis Kennedy, in Reference to the Public Prosecutor of Scotland." London: Ridgway. 1869.

²³ "Physique sociale, un Essai sur le développement des facultés de l'homme." Par Ad. Quetelet. Tome II. Paris. 1869.

characteristics, and of one outward characteristic to another, should be extended to the whole of individual life, and as far as possible to the general life of man on earth. M. Quetelet himself sets the example of conducting such inquiries in a searching scientific spirit, which it is hoped will find many imitators, and he obtains some results of the highest interest. Thus in the matter of national tendency of crime, it seems that the result of a statistical examination carefully conducted in France, Belgium, and England, is to the effect that up to adult age the proclivity to crime increases very rapidly, and obtains its *maximum* for men, in France, at about twenty-four years of age; in Belgium, a little later; and in England a little earlier. In France the *maximum* arrives a year later for women, and it is only one-fourth as strong. The principal crimes obtain the *maximum* of attracting force in the following order: theft, rape, assault with violence, murder, manslaughter, poisoning, and frauds of all sorts. An instructive and brilliantly written portion of this work is concerned with an investigation of *l'homme moyen*, or average man, under different aspects and for different purposes, successively, as artistic, scientific, moral, and political. It is noted that in the education of the race, as well as of the individual, the imaginative powers are developed first, and the strictly philosophical latest of all. M. Quetelet counts mathematics as among the branches of knowledge which specially need the imaginative powers for their culture. Some wise remarks are contained in the notice of the political aspect of *l'homme moyen* as to the permanent conditions of social equilibrium, and the modes in which modern revolutions are prepared and facilitated through the increased publicity and intercommunion of national life.

Those who read with interest Mr. H. Dixon's account of the Shakers in the United States may be glad to find that they can satisfy their curiosity by a personal inspection nearer home of a number of similar communities now existing in Flanders. In the little work called "Beggynhof; or, the City of the Single,"²⁴ we have a lively and apparently exact account given of a number of conventual establishments which are scattered over the towns of Flanders, and which, notwithstanding their great antiquity, would seem to be exempt from all the corruptions with which other like societies have been almost universally infected. These communities are said to be like cities within a city. The women of whom they consist are received "from any reasonable period of girlhood to the age of forty-six. There is a novitiate of two years, and the vows taken of chastity and obedience only bind for a single year. A person seeking admission must be able to prove she is in possession of a clear annual income of 10*l*." The large Beggynhof of Ghent, originally planned for 800 women, has for the last two centuries given shelter to more than two-thirds of that number, comprising individuals of all ages, all ranks, all fortunes, leading not only peaceful and unobtrusive, but well-employed and exemplary lives.

It is interesting to find German writers on education making a

²⁴ "The Beggynhof; or, the City of the Single." By the Author of "Gheel; or, the City of the Simple." London: Chapman and Hall. 1869.

similar use of English institutions to that which English writers habitually make of Prussian ones. Dr. Gneist's²⁵ sagacious recommendations with a view to bringing about a complete systematic reconstruction of the whole system of primary education in Prussia may be read in England by all social reformers with the greatest advantage. He commences by recapitulating the main efforts made by the Prussian Government in the direction of a comprehensive educational scheme for the last fifty years, and comes to the conclusion that all these schemes have been practically abortive. The main problems are much the same as are so familiar in England at this day, that is, those due to the competitive claims of the local district religious bodies, and the State. An undue deference to the claims of the first of these leads to the development of a low order of life, selfish and atomistic; of the second, leads to sectarianism or a spirit of anti-State fanaticism; of the third, to tyranny and excessive centralization. There are the furthermore practical difficulties as to the quarter from which the funds necessary to a general system of education are to come, and the modes in which teachers are to be fitted for their task. The scheme Dr. Gneist suggests and elaborates with great care is what he calls a development of the English principle of "self-government," by which he seeks to call into existence an institution intermediate between the State at the centre and the local district at the circumference, and possessed of a representative, and effectively administrative capacity. This institution, or *Kreisversammlung*, is to be a representative body chosen out of a large district, according to the rules of the ordinary political suffrage in force, and is to consist of from 24 to 48 representatives, there being about 327 of such bodies in the whole country. An executive body is to be attached to every *Versammlung*, which is to consist of from 8 to 12 members, as two or three local civil officers, a minister of the church dominant in the neighbourhood, a schoolmaster, two members of the aforesaid general representative body, or *Kreisversammlung*, and a deputy specially appointed by the same. A local council consisting of a smaller number of officials, appointed on similar principles, will be a standing "organ" of the commission for each subdivision of the country. Every great town would have a representative body of its own, the next smaller towns would combine, and towns with less than 2000 inhabitants would be treated as portions of country districts. The State would be represented in every *versammlung* by a "general school inspector," who would discharge the function of the present Provincial Administrative Council, and the whole would be under the general observation and care of the Minister of Public Instruction.

A careful examination of the "Semi-Annual Report of the Schools for Freedmen,"²⁶ published by the United States Government, would probably afford a better opportunity of predicting the future fortunes of the Southern States, than any superficial glance at the current

²⁵ "Die selbstverwaltung der Volksschule." Von Dr. Rudolf Gneist. Berlin : 1869.

²⁶ "Eighth Semi-Annual Report on Schools for Freedmen," July 1, 1869. Washington Government Printing Office. 1869.

social phenomena. The report says that "the sentiments of former masters as to education are by no means educated to the standard of public school systems at the North. General taxation is questioned. Quite inferior schools are thought sufficient for the coloured race." Nevertheless an effort was made only last year to organize and endow high and training schools for the preparation of teachers. Thirty-nine such schools, having 3377 pupils, with many normal classes in those of lower grade, are reported.

An instructive view of the results of the actual education given at St. Ignatius College, Galway, is afforded by the papers of different students, collected and published under the title of "*Galway Academical Papers*."²⁷ The subjects of last Christmas and Shrovetide respectively, were "*The Spirit of a Language*" and "*The Oratory of Demosthenes*."

Mr. Burgess has given us an elegant and learned little work on "*The Relations of Language to Thought*."²⁸ His view is conceptualistic rather than anything else.

The unsectarian or free University of Brussels, side by side as it is with other universities on a different footing, whether under State or ecclesiastical patronage, affords an interesting experiment of the possibility of finding some common standing-ground in the higher regions of education in which members of competing religious bodies can temporarily meet. Dr. Gluge's²⁹ discourse, delivered in October, describes at once the measure of the success and the causes of depression of this great institution. As to the former, it appears that the number of students during the previous session was far greater than that of those at the State University of Gand, and almost equal to that of the State University of Liège. The degree of comparative depression is attributed to the little dignity that attaches to the profession of a teacher and to scientific studies generally, and to the bad management of the examinations.

Mr. Kennedy's paper³⁰ contains a well-argued defence of the denominational system of education in opposition to the programme of the "league." He endeavours to show that that system has the indisputable advantage in point of speed (looking to immediate demands), economy, management, and teaching.

The Dean of Elphin's "*Lecture on Education*,"³¹ as a Means of Promoting the Prosperity of Ireland," is a very rational and creditable composition. He speaks favourably of the working of the National Education Board.

²⁷ "*Galway Academical Papers*." Published for St. Ignatius College, Galway. Parts I. and II. Dublin: Kelly. 1869.

²⁸ "*The Relations of Language to Thought*." By W. A. Burgess, M.A. Williams and Norgate. 1869.

²⁹ "*La Liberté de l'Enseignement et les Universités*." Par le Docteur Gluge. Bruxelles. 1869.

³⁰ "*The Working Man's School*." A Paper read at the Manchester Educational Congress, Nov. 3, 1869. By W. J. Kennedy, M.A. London: Longmans.

³¹ "*Education, as a Means of Promoting the Prosperity of Ireland*." A Lecture by William Westerton, D.D., Dean of Elphin. Dublin: Moffat.

In a lecture delivered to the London Association of Schoolmistresses, Mr. Fitch³² has endeavoured to lift the study of arithmetic out of its customary place as that of a mere mechanical and empirical artifice, into, what we quite agree with him is its true place, as the best or only severe logical exercise open to the large number of people in the country. Mr. Fitch points out, by accompanying illustrations, how the logical benefit can best be given in the process of teaching. His lecture deserves well being studied by teachers, the more so as he has, in company with Dr. Cornwell,³³ published a complete practical treatise on "The Science of Arithmetic," and a "School Arithmetic," which has now reached its tenth edition.³⁴

The Prendergast "Masterly Series," for the purpose of teaching foreign languages, seems very promising.³⁵ A series of ordinary conversations or sentences in English and Spanish are put side by side, increasing in grammatical complexity as the work proceeds.

It is a great service to the students of a new language to supply them in an easily accessible form with some of the most pungent extracts from the best writers in that language. This service has been rendered with conspicuous success by M. Henri von Laun,³⁶ master of the French language and literature, at the Edinburgh Academy, by means of a selection from the works of M. Taine, accompanied with instructive grammatical notes. There is a peculiar difficulty in obtaining readable books in French for the very young. Most works are either sentimentally silly, or dry and heavy, or generally "improper." In the "introductory notice" M. Laun gives an interesting account of each of M. Taine's chief works. The following is well worthy of being quoted once again. It comes from M. Taine's essay on *La Fontaine* :—

"The more perfect the poet is, the more he is identified with the nation from which he has sprung: the more he has penetrated his art, the more he has penetrated into the genius of his country and of his race. . . . The insight into the innermost divisions of character, precision, energy, the English sadness, the dash, the imagination, the paganism of the Renaissance, were necessary to produce a Shakspeare. Depth, philosophy, science, universality, true criticism, the pantheism of Germany, and of the nineteenth century, were wanting to produce a Goethe."

The conveniences of travel are now so great, and the desire on the part of travellers to communicate their experience has undergone so little proportionate diminution, that the amount of works describing

³² "Methods of Teaching Arithmetic." A Lecture addressed to the London Association of Schoolmistresses. By J. G. Fitch, M.A. London: Edward Stanford. 1869.

³³ "The Science of Arithmetic." By James Cornwell, Ph.D., and J. G. Fitch, M.A. London: Simpkin, Marshall and Co. 1869.

³⁴ "The School Arithmetic." By James Cornwell, Ph.D., and J. G. Fitch, M.A. Tenth Edition. London: Simpkin, Marshall and Co. 1869.

³⁵ "The Masterly Series—Spanish." By Thomas Prendergast. London: Longmans. 1869.

³⁶ "H. A. Taine." Edited, with English Notes and Introductory Notice, by Henri von Laun. London: Rivingtons. 1869.

at one glance all the main countries in the world is becoming rather perplexing to the critic. Mrs. G. Clerk's work,³⁷ in which she narrates her travels in Australia, New Zealand, Ceylon, China, Japan, and California, is full of personal anecdote and interesting notices of the natural and artificial peculiarities of the countries visited.

In Mr. Charles H. Allen's account of his visit to Queensland³⁸ he is led to regret the fact of the existing protective system in the Australian colonies. "There is a large quantity of most excellent wine now made in Victoria and South Australia, and there would be no limit to the production of these wines if a market could be found. There is a vast field open in the neighbouring colonies, *if only the prohibitory duty were taken off.*"

The policy of England in respect of her colonies is becoming a matter of the greatest imperial moment. We had occasion to notice in our last number the different existing theories on this subject, and the history of their growth. Mr. Sewell,³⁹ formerly Colonial Secretary, and late Attorney-General of New Zealand, has made an important contribution to the discussion of the question by a pamphlet, clearly bringing to light all the negotiations between the Home Government and the Colonial Government of New Zealand, in respect of the liabilities of the colony to provide for its own defence against the natives. Lord Granville, in his recent notorious despatch of 21st of March, 1869, had said that the transfer of the burden of the obligations towards the native race from the Government to the colony had been made in compliance "with the direct and indirect demands of the colonists." Mr. Sewell now, amongst much other relevant matter, calls attention to the extreme reluctance from the first felt on the part of the Colonial Government to any such transfer, and quotes especially from a memorial to Her Majesty agreed upon, in 1862, by the House of Representatives, in which Her Majesty's Government is accused of betraying "a tendency to withdraw from engagements to which the British nation is honestly bound, and to transfer to the colony liabilities and burdens which belong to the empire." The whole pamphlet should be carefully studied.

The tales of such old travels as have had great issues in advancing the general cause of human progress should be the most entertaining of all literature. This class of writing partakes of the charms of personal romance on the one hand, and of the seriousness of purely political studies on the other. Mr. Henry Kingsley's exquisite little work,⁴⁰ in which he goes over again, in easy, spirited, yet earnest tones, the adventures of the European travellers who first brought within the light of European civilization such countries as China, Japan, West

³⁷ "The Antipodes, and Round the World." By Alice M. Frere (Mrs. G. Clerk). London: Hatchards. 1870.

³⁸ "A Visit to Queensland and the Gold Fields." By Chas. H. Allen, F.R.G.S. London: Chapman and Hall. 1870.

³⁹ "The Case of New Zealand and our Colonial Policy." A Letter from Henry Sewell, Esq., to Edward Wilson, Esq. London: Bell and Daldy. 1869.

⁴⁰ "Tales of Old Travel." Re-narrated by Henry Kingsley, F.R.C.S. London: Macmillan. 1869.

Africa, and Port Philip, is scarcely less fitted for the teaching of grown men and politicians, than it is eminently so for that of the young. An accurate yet pictorial view of such historical facts is the best preparative for the acquisition of a true spirit of cosmopolitan policy.

Another mode of giving philosophical reality to much that is often treated as mere food for the gratification of a transient taste is that adopted by Mr. Mackintosh in his very scientific and carefully written treatise on "The Scenery of England and Wales."⁴¹ His purpose is to point out the degree of connexion between the outward aspects of the country and permanent geological causes. The book will be found a most valuable one for the intelligent and thoughtful tourist.

The political relations of Belgium and Holland between the years 1815 and 1832 have been brilliantly illustrated by some Junius-like essays of the Belgian Ambassador to this country, M. Sylvain Van de Weyer.⁴² These essays originally appeared under a series of anonymous names, and excited great attention and curiosity. They are indeed replete with sarcasm and eloquence of a high but not inflated kind, as well as with historical facts which it is difficult to get at elsewhere. The "letter to Lord Aberdeen," in answer to his speech in the House of Lords on the recognition of the definitive separation of Holland and Belgium, is especially caustic and telling. Lord Aberdeen is charged with having borrowed all his facts, dates, reasons, and assertions from ministerial papers and documents in Holland. The grounds of the divergence of interest and sympathy between the northern and southern portion of the Low Countries are traced up in detail to the times of the Napoleonic dominion, and are said to be due to the imperfect way in which effective governmental union was carried out on the dissolution of that dominion. It is alleged more specially that the "inhabitants of the Low Countries have never been constitutionally assimilated; that the northern provinces have enjoyed advantages refused to the south; and fetters and restrictions have been imposed on the progress and wealth of Belgium, against which treaties were formally made to guarantee them."

The republication of a lively, or indeed brilliant, political sally, published in 1852, and purporting to give an exact account and just criticism of the events by which the Emperor of the French attained his present position, is not at all superannuated. The author, Herr Karl Marx,⁴³ complains that Victor Hugo, in his "Napoléon le Petit," attributes far too much to the personal strength of the hero, and therefore gives him more than his due. Proudhon, on the other hand, in attributing too much to the inevitable progress of events, gives the Emperor, in a less favourable sense, something much less than his due. It is Herr Karl Marx's purpose to point out how the class-jealousies

⁴¹ "The Scenery of England and Wales: its Character and Origin." By D. Mackintosh, F.G.S. London: Longmans. 1869.

⁴² "Choix opuscules philosophiques, historiques, politiques et littéraires." De Sylvain van de Weyer. Deuxième série. Londres: Trübner. 1869.

⁴³ "Das achtzehnte Brumaire des Louis Bonaparte." Von Karl Marx. Zweite Ausgabe. Hamburg. 1869.

and animosities of the country were accidentally of such a nature as to afford a great opening for "a mock dramatic representation of a hero on the part of a personage altogether absurd and insignificant." There is one especially remarkable passage in this pamphlet, in which it is pointed out that, whereas the Orleanists have the sympathies of the moneyed classes, the Bourbons of the landed gentry, the true *clientèle* of the Bonapartes are the small peasant proprietors. This is attributed by the writer to their want of habitual co-operation, their degraded and selfish nature, and the general intellectual debasement.

We have often had occasion to express our gratitude to all travellers in the less well-known parts of Europe as well as elsewhere, for the partly gossiping, partly didactic and systematic works they publish on their return. These are the only class of works which cannot be supplied in too great a number. They correct one another, and are the best and natural checks upon the sprightly communications of constant correspondents. The "Pictures of Hungarian Life,"⁴⁴ by the author of "Flemish Interiors," are not only interesting and pleasing as pictures, but they also tell much, incidentally, of the character and life of the Hungarians, as distinguished from those of the Austrians or Prussians. These indications, indeed, have to be picked out here and there, as the traveller himself is naturally most interested in the more objective sights and sounds, which, for the moment, leaves him little time to theorize or reflect. A visit to the prison at Waitzen affords the traveller an opportunity to give some curious facts about the state and administration of criminal law in Hungary. The crimes for which imprisonment is inflicted are robbery, horse-stealing—the crime most prevalent in Hungary—manslaughter, and murder. Murderers are theoretically condemned to death when convicted, but they are rarely executed. The longer the term of imprisonment, the less severe the treatment. The term of imprisonment varies from one to ten years; and the heaviest offence for which they are sent to the Waitzen prison is horse-stealing. Hungary possesses four more prisons for men, and among them they contain 3000 prisoners; besides which there is one for women. At Waitzen the prisoners, 600 in number, pursue different trades, according to their choice and antecedents. The majority are tailors. After a certain portion of the price of their labour has been deducted for the support of the house, and another put by to accumulate against their leaving, they receive the balance as pocket-money. Their work is all over at six o'clock, and after that hour their time is at their own disposal, and they dance and sing in the evening. The account of the workhouse at Pesth is also very instructive. There are 300 inmates, and none are admitted who cannot prove their destitution,—probably not difficult to do in many cases. The whole tone of the house is described as being healthy; and whenever the visitors entered the wards appropriated to the women, the director lifted his cap. There is an infirmary for the sick, as well as wards for cripples and the insane, who seem well cared for. Drunken-

⁴⁴ "Pictures of Hungarian Life." By the Author of "Flemish Interiors," &c. London: William Ridgway. 1869.

ness is described as being very rare in Hungary. Both this and swearing are noticed as far more prevalent in Austria, and even still more so in Prussia.

It is difficult to convey any idea of the amount of scattered materials contained in Mr. Chester's *Transatlantic Sketches*.⁴⁵ A great deal of the work is interesting and new, especially that describing the state of the negro population in the West Indies, particularly Barbadoes. The black labouring population there, where there is no bush or virgin soil to fall back upon, and almost every inch of available soil is under cultivation, are not otherwise than an industrious set of people. The white population have diverged far more from their English type than the French Creoles of Martinique from the French type. When Mr. Chester approaches the Northern States of America, he becomes very indignant against what he describes as the corruption due to the ballot and democratic institutions generally; and he takes anything but a sanguine view of the possibility of effectually reconstructing the Union. We need not say that we do not share these gloomy fears, and that we believe the less favourable side of current American politics is due to exceptional causes, which are merely accidental and temporary.

Mr. Pakman has rendered conspicuous service to the cause of historical politics by investigating the early French relations, conducted through the medium of La Salle, with the regions in the valley of the Mississippi.⁴⁶ The documents used have only recently been brought to light by M. Pierre Margry, assistant custodian of the Archives of the Marine and Colonies at Paris.

If it be true that Paris is an American's paradise, symptoms are not wanting that there are Parisians who cast a similar longing look towards the institutions of the United States. M. Jorveaux's work on "*L'Amérique actuelle*,"⁴⁷ accompanied as it is with the vigorous introduction of M. Laboulaye, affords quite as much an insight into current French sentiment in some quarters as into the actual condition of things which it is the object of the work to describe. M. Laboulaye considers Americans to have solved the leading political problems, which may be gathered up in the words "liberty," "education," and "religion." Writing evidently with a very disagreeable home experience in his mind, he dwells with great satisfaction on the freedom enjoyed by American citizens from all direct interference on the part of the central government. "Free to establish his abode where he will, to live in the way he likes best, to adore God in the fashion he prefers, to bring up his children as he chooses, to utter his opinions by acclamation or public speech, to carry arms, to unite and associate himself with whom he pleases, taking part from early youth in the regulation

⁴⁵ "*Transatlantic Sketches in the West Indies, South America, Canada, and the United States.*" By Greville John Chester, B.A. London: Smith, Elder, and Co. 1869.

⁴⁶ "*The Discovery of the Great West: an Historical Narrative.*" By Francis Pakman. London: John Murray. 1869.

⁴⁷ "*L'Amérique actuelle*, par Émile Jorveaux." *Précédé d'une introduction par Edouard Laboulaye d'Institut.* Paris: 1869.

of the school, the church, and the district, he hardly perceives so much as the existence of a central government or of congress." M. Jorveaux's matter is made up, in a great measure, of extracts from previous writers, especially when treating of such subjects as Mormonism and the education of women, for which topics Mr. Dixon and M. de Tocqueville are laid under tribute. However, the work contains many new and interesting facts, and much shrewd and valuable speculation. For instance, on the "Negro question," it is noted that whereas the negro will hereafter meet with great competition through immigration in all the other States; yet in South Carolina, Florida, Mississippi, and Louisiana, he will continue to have a monopoly of the labour-field. An interesting account is given of a scheme of co-operative negro labour, now being worked in Mississippi, under the superintendence of a negro named Montgomery. The farm, worked by 100 fellow-labourers, is administered by an elected council, and a fund is provided for the sick and the aged. But it is doubtful whether the negroes possess sufficient energy to admit of the extension of such enterprises. The work of reconstruction is said to be going forward satisfactorily. "Life begins to circulate afresh in the towns and in the country: cities are getting rebuilt; agriculture recovering itself from its torpor; and the abolition of slavery, which it was held out would ruin the country, is promising to be advantageous to it, through the moral elevation of the people it is bringing about and the spirit of enterprise it is stimulating." An interesting chapter in this work is that on "*Les Catholiques du nouveau monde*," in which the remarkable recent progress of Catholicism as freed from all State connexion, in the New World, is contrasted with its retrograde and corrupt condition in Europe, in most countries of which it has always been and is so closely allied with the State.

All fresh reliable facts about the physical or social condition of the States of North America are always especially welcome. Mr. Bell, in his "*New Tracks in North America*,"⁴⁸ has done great service in bringing to the notice of the English reader a quantity of minute and precise experience of rather an out-of-the-way character, and yet none the less interesting and instructive. Mr. Bell accompanied the expedition organized by the Kansas Pacific Railway Company for the purpose of determining the best route for a southern railway to the Pacific Coast, through Kansas, Colorado, New Mexico, Arizona, and the southern part of California. The distance Mr. Bell travelled "beyond the pale of civilization and railways," was about 5000 miles. St. Louis was the starting point, and Mr. Bell gives an interesting description of that town, of which he predicts that it is likely one day to become the Federal capital. St. Louis is the great trading centre of the Mississippi valley. More than 260 river steamers are employed in her carrying trade, and Mr. Bell has counted sixty of these curious three-storied structures, combining the hotel above and the merchant ship below, lying along the quay. A curious account of the semi-

⁴⁸ "*New Tracks in North America*." By William A. Bell, M.A. In two volumes. London: Chapman and Hall. 1869.

civilized and wild tribes of New Mexico is given at the end of the first volume. The Pinias are described as being happy and contented, and of great assistance to the colonists as well as to the Government. It is suggested that, in order to prevent the extirpation of this tribe, their lands should be made by law inalienable, and that their present high standard of morality should not be broken down by any close intercourse with white men and their fire-water. Of the Navajos, on the contrary, it is said that they have no equals for love of plunder and rapine. Between August 1, 1846, and October 1, 1850, there were stolen by them 12,887 mules, 9050 horses, 31,581 horned cattle, and 453,293 head of sheep. Mr. Bell visited the Salt Lake City, and, like other recent travellers, is of opinion that its morality and prospects have been unduly coloured. He thinks that the Mormons "may profess to believe what they like, and govern themselves as they please, but if they persist in degrading women as they at present do, some method will be devised to break up the 'institution.'" A useful portion of these volumes is that concerned with the history of the different Pacific railway schemes, and particularly with the contest between the party in favour of making Chicago, and that in favour of making St. Louis, the point of departure. The former won the day, Mr. Bell strongly advocates the organizing in London of a central institution for emigration purposes, as for obtaining colonial information and putting former colonists into communication with intending emigrants.

The districts in the southern part of North America have lately been exciting some attention in Europe on the ground of the opening they are said to afford to colonists. An accurate account from a competent observer of the economical and political as well as the geographical specialities of these districts is very welcome. Captain Pim's and Dr. Seeman's joint work on the subject is equally readable and instructive.⁴⁹ Captain Pim has had every opportunity of becoming acquainted with his subject matter, as he has conducted the most delicate negotiations with the distinguished President of the Nicaraguan Republic and with the King of Mosquito, with the view of constructing a line of railroad from Monkey Point to the Lake Nicaragua, so as to effect a communication between the Atlantic and Pacific Oceans. The text of the engagements entered into is given in the appendix. Captain Pim, however, laments that his scheme has not been taken up in England as it might have been, did any other but purely commercial principles regulate all our public action in such matters. Captain Pim is of opinion, after personal investigation, that Blewfields River offers for sixty-five miles of its length every possible advantage as a field of emigration for the more industrious coloured population of the Southern States.

The unfortunate prevalence of bronchial and pulmonary complaints in this country often makes the choice of a safe winter and spring resi-

⁴⁹ "Dottings on the Roadside in Panama, Nicaragua, and Mosquito." By Bedford Pim, Captain R.N., and Berthold Seeman, Ph.D. London: Chapman and Hall. 1869.

dence a matter of most anxious consideration. Dr. Bennet published in 1861 an essay on the winter climate and vegetation of the Mentone amphitheatre. In successive editions he has expanded that work into a careful study of the winter and spring climates of the shores of the Mediterranean in general.⁵⁰ The purely scientific form has been laid aside, and the thoughts, fancies, and travelling impressions of a long period of invalidism have been recorded. Mentone, Italy, Corsica, Sicily, Algeria, Spain, and Biarritz, are the main places passed in review.

There is always much to interest in an intelligent and sympathetic investigation of the antiquities of the North of France. Mrs. Palliser's work⁵¹ will be found to illustrate all the romantic, historical, and architectural specialities of Brittany. The work is carefully got up, and displays every sign of a competent acquaintance with the subject on the part of the authoress.

Mr. Macgregor's account of his canoe expedition in waters not hitherto explored in that way will be read with great interest on many accounts.⁵² The spirit of adventure and courage in the traveller, the permanent curiosity that always attaches to tales of travel in Eastern countries, so long endeared to the religious sentiment of Europeans, and the careful and detailed account given even of the minutest incidents of the journey, will all conspire to make the book a very popular one.

A very different form of adventure is described in "Ubique's" account of his experiences as a sportsman in North America.⁵³ Wild-fowl shooting, buffalo hunting, trout and salmon fishing, supply the materials of the work, which is written in order to induce English sportsmen to cross the Atlantic—"that is, such of them as are of the right stamp, and who do not mind roughing it in search of sport with gun, rod, and saddle."

A curious and rather unfamiliar picture of antique Arabian life and habits as depicted in the works of some native poets, novelists, and philosophical writers, is afforded in Dr. Ethé's "*Morgenländische Studien*."⁵⁴ These studies consist partly of translations and partly of adaptations. The first part reproduces some simple tales or romances; the second contains an account of some interesting and suggestive psychological and critical investigations, and in the third is recast some old Arabian poetry in a metrical dress. Under the second head appears the '*Kosmographie*' of Keywîû, called the Pliny of the East, and whose writings under that title are said to present the most compressed and comprehensive survey of all scientific knowledge known in the thirteenth century, and sufficient extracts

⁵⁰ "Winter and Spring on the Shores of the Mediterranean." By J. Henry Bennet, M.D. London: Churchill. 1870.

⁵¹ "Brittany and its Byways." By Mrs. Bury Palliser. London: Murray. 1869.

⁵² "The Rob Roy on the Jordan." By J. Macgregor, M.A. London: Murray. 1869.

⁵³ "Accessible Field Sports: the Experiences of a Sportsman in North America." By Ubique. London: Chapman and Hall. 1869.

⁵⁴ "*Morgenländische Studien*." Von Dr. Hermann Ethé. Leipzig. 1870.

are given to lead to a tolerably good impression of its general purport. The distribution of the human faculties is very curious, and the illustrations of their working are happy, though to the severe modern critic, quaint and overborne by sensuous imagery.

There is no surer mode of dispelling national prejudices and clearing the way for a highminded policy towards races too often treated as barbarous, and therefore as fit subjects for all kinds of vindictive hostility, than the publication of a clear account of the history of such races, and of their existing institutions and habits of life. Mr. Dickson's work on Japan⁵⁵ is a valuable help in this direction. The story he gives of the gradual formation of the existing government, and of the fierce struggles with the Portuguese Jesuits in the sixteenth century, contains materials of the most romantic interest as well as of the greatest political importance. The legislation of Tyeyas which forms a large part of the basis of the existing constitution is given in a chapter by itself. From this it appears that the root idea of social organization in Japan has been throughout its history one resembling the feudal notion prevalent in Europe during the middle ages. The Emperor, or Mikado, was at the top of the tree, and he had an hierarchy under him commencing with the higher nobility or Koongay, who held lands of him and were liable to discharge military services. The peculiarity of the Japanese constitution, as it has been historically evolved, is that side by side with the Emperor, who is held in very deed to rule over "the spirits of the country," and to be the fountain of honour in this world, and the next, another official termed the Shiogoon is the commander-in-chief of the Army, has another hierarchy, commencing with the Daimio class, subordinate to him and holding land by a tenure of military service, and is the most effectively potent personage in the country. The development of this authority, which became centralized at Yedo, was mainly due to Tyeyas, who after a long struggle contrived, at the close of the sixteenth century, to establish himself as the head of the executive. His laws for the regulation of those within his control, borrowed in some measure from the Maxims of Mencius and Confucius, are very precise, comprehensive, and equitably conceived. Thus, "All men are liable to sickness. If doctors become rich they grow indolent, therefore it is improper that they should acquire territory or landed property, but they are to be paid by every one, high or low, according to visits paid." Two important political events have very recently been brought about, one, the submission and practical or temporary abolition of the Shiogoon as a rival of the Emperor, and the other the cession on the part of the Daimios of all their independent privileges and feudal rights to the Emperor, with a view to consolidating the government. Thus, Mr. Dickson anticipates that Japan may shortly be able to resent any insult, and repel any aggression with which insolence or audacity may threaten her.

Those who remember an unfortunate controversy that arose on the

⁵⁵ "Japan : being a Sketch of the History, Government, and Officers of the Empire." By Walter Dickson. London : William Blackwood and Sons. 1869.

occasion of the Royal Geographical Society's medal being presented to Sir Samuel Baker with respect to the competitive claims of Mr. Petherick,⁵⁶ who had been reported erroneously to be dead, have now an opportunity of reading Mr. Petherick's own account of his side of the case given in great detail, and with a publication of all the papers and documents involved. Apart from this matter of personal interest, Mr. and Mrs. Petherick have much to tell about the inhabitants and countries in the district of the White Nile. The description of the Shillook tribe and the Dinkas, as well as of the relations of these tribes to the Egyptian Government, is extremely interesting. Thus it appears as an incident of the kind of patriarchal government under which they live, that the Shillooks are obliged to deliver all the elephant tusks they obtain, all skins of animals, wild or domestic, and all the fat of the animals slaughtered, to their chief or sultan. The chief of the Dinkas again, although powerless to levy a tax or to punish a crime, is implicitly obeyed during war, and is chosen as arbitrator in time of peace. The wholesale cruelty practised towards the negro race by the Egyptian government, the incessant acts of robbery, treachery, and villany committed, are said to be too shocking to describe. The biography of Moosa Pasha is very curious and characteristic.

The purpose of rather a remarkable pamphlet entitled "North Eastern Frontier,"⁵⁷ is to resist the argument of Mr. W. W. Hunter, set out in a political dissertation prefixed to a "Comparative Dictionary of the Languages of India and High Asia." The pamphlet is substantially a defence of the treatment of the native races of India by the English Government. It goes into great detail, and affords an instructive picture of the actual difficulties in the way of conciliation, preservation of order, and the maintenance of treaties, which partially civilized communities present to a strong central government. We think a good case is made out for the British authorities.

The transport of the army is, for a country like England, with her small numerical force and the numerous claims, through her scattered territory, upon the disposition of that force, matter of considerable political moment, though one which, like many others, is not likely to secure enough attention till it is too late to commence systematic organization. Captain Beazley quite maintains the high literary character of soldiers when writing on their own subject.⁵⁸ He has a thorough command of his subject; he says all that is requisite, and does not say more. His notion is that the regiment should be the unit and not a brigade, or a "large unlied unit." The key to the proposition of Captain Beazley is, that there be two trains, each being sub-

⁵⁶ "Travels in Central Africa, and Explorations of the Western Nile Tributaries." By Mr. and Mrs. Petherick. In two volumes. London: Tinsley Brothers. 1869.

⁵⁷ "North-Eastern Frontier." Reprinted from the *Calcutta Review*. Calcutta. 1869.

⁵⁸ "Suggestions for the Land-transport Service of the Army." By George G. Beazley, Capt. 83rd Regiment.

divided into two other trains, the regimental and the departmental. The former would be driven by soldiers alone, and be employed in the presence of the enemy, or where military discipline is most required. The latter would be behind, and include the stores, clothing, engineer reserve, paymasters, medical and commissaries' train. The second train (No. II.) communicating with No. I. and the base, would be organized on a similar plan, and be manned by civilians hired for the time being. All the detailed arrangements are treated with great care and precision.

An antiquarian question as to a very early "sea-transport" is treated by Mr. Wainwright in his review of "Julius Cæsar: did he cross the Channel?"⁵⁹ The work arose out of a personal controversy, but it is interesting as a learned defence of the popular view that the *Morini* of Cæsar dwelt on the coast of Kent.

The publication of the fifth edition of Mr. Walford's "County Families"⁶⁰ is a testimony that it satisfies the wants of the kind of people who stand in need of the multifarious information it conveys. Its handsome red and gold cover certainly gives it a strong claim to rival the other ornaments of a well-furnished drawing-room.

The "Guide to the London Charities"⁶¹ is a book of real practical utility. The arrangement of the matter by which the objects, local addresses, names of chief officials, and last year's receipts, of each institution are seen at a glance is most commendable. Messrs. Fullarton deserve to be congratulated on their contribution to an easily accessible geographical and topographical literature. Their *Imperial Gazetteer*,⁶² *Imperial Atlas*,⁶³ and descriptive *Hand Atlas*⁶⁴ may safely be recommended to the managers of workmen's clubs, colleges, and libraries.

SCIENCE.

IT is, perhaps, not a merely accidental coincidence that the three new works on chemistry which are before us represent also the three most distinct and well-marked stages in the development of any science. Chemistry has undoubtedly arrived at a point when its purely practical and manipulatory part has reached a formerly unknown and even un hoped-for degree of precision and elegance, when its philosophical foundations are crystallizing out of the vast mass of collected

⁵⁹ "Julius Cæsar: did he cross the Channel?" Reviewed by John Wainwright. London: John Russell Smith. 1869.

⁶⁰ "The County Families of the United Kingdom." By Edward Walford. Fifth Edition. London: Hardwicke. 1869.

⁶¹ "The Royal Guide to the London Charities for 1869-70." By Herbert Fry. London: Hardwicke. 1869.

⁶² "The Imperial Gazetteer of England and Wales." By John Marcus Wilson. Vol. VI. London: A. Fullarton and Co.

⁶³ "The Imperial Atlas of England and Wales, Index." London: A. Fullarton and Co.

⁶⁴ "A Descriptive Hand Atlas of the World." By J. Bartholomew, F.R.G.S. Parts V., VI., VII., and VIII. London: A. Fullarton and Co.

facts, and when, finally, to the accomplished master the time seems to have come for collecting the materials for a history of his science, and for recording the reminiscences of the difficult road which has led on to success.

The volume on practical chemistry by Messrs. Harcourt and Madan,¹ forms a new and most valuable addition to the series of scientific textbooks published by the Clarendon Press. The authors modestly call their work "Exercises;" but it really furnishes, not a series of analytical operations, as, *e.g.*, the well-known collection by M. Wöhler, but a systematic course of study to those who desire to learn chemistry practically. As teachers, the authors have had a long experience of the shortcomings, difficulties, and most urgent wants of their pupils, and they have obviously proposed to themselves to write a work which should be a faithful guide to the really earnest student, and assist even those who are working without the instruction of a teacher. This task is by no means easy; but, on the whole, it has been admirably accomplished. The student is at the outset exhorted to be orderly and neat in manipulation, to use his time wisely, to be economical of materials, to make himself clear upon the rationale of what he is doing, and finally, not to look upon chemistry as a mere amusement, as a means of getting up a few explosions, creating a few unsavoury smells, producing a few striking changes of colour. We believe that a student who commits to memory and acts in accordance with these preliminary memoranda, which the authors have arranged under ten paragraphs, probably with a view of making them the ten commandments of chemistry, enters upon his laboratory practice with the best possible preparation. The subject-matter of the work is divided into two parts, of which the first contains a complete instruction in most of the necessary preliminary operations, such as fusion, solution, filtration, distillation, &c. The two chapters on glassworking are, unfortunately, extremely meagre. The authors refer for further matter on it to the end of the book, Part VII. sec. 2; but having searched for it in vain, we presume that the promised addition will appear in the second volume. Whoever has had an opportunity of seeing the delight of students who for the first time had been taught to blow such a simple thing as the bulb of a reduction tube, must regret that the authors have not given at once complete instruction in a manipulation which to the practical chemist is now quite indispensable. The remainder of this part treats of the preparation and examination of gases, the preparation of the reagents used in the laboratory, and the examination of the properties of the principal radicles and their salts. It is here chiefly that the authors have shown a great deal of thought and experience, originality of arrangement, and that perspicacity in every statement which is the first condition of sound teaching. But it is here, also, where the great failing of the work is to be found, which is nothing less than a most unnecessary, in some places even unbearable,

¹ "Exercises in Practical Chemistry." By A. G. Vernon Harcourt and H. G. Madan. Series I. Qualitative Exercises. Oxford: At the Clarendon Press. 1869.

verbosity. We believe it quite possible to reduce the 245 pages which constitute Part I. to less than half, without detracting an iota from the clearness and instructiveness of the text. This is a serious mistake on the part of the authors; for it deprives the student of a great deal of matter which ought not to have been excluded from a work like this. Thus some examples of the examination and separation of a mixture of say at least two different gases ought to have been given, and the number of organic radicles of which the characters are demonstrated might with great advantage have been considerably increased. This would have been quite possible, without swelling the volume too much, if the authors had carefully revised their text with a view to condensation. For the second part, which discusses the qualitative analysis of a single salt, the authors are, as they admit, mainly indebted to the well-known work on analytical chemistry by M. Fresenius. They have added, as an example, the complete analysis of a solution of Manganese chloride. If they had written ten pages more of a similar character, it would have enhanced the value of their work a hundredfold.

Those who have mastered the fundamental and purely practical operations of chemistry, will find in M. Geuther's² treatise on "Chemistry Founded on the Valency of the Elements," a most concise exposition of the philosophy of the science, as shaped at this moment. He would in vain search here for a detailed instruction, how to prepare or analyse any chemical compound, such as is given in most published works on the science. What the book attempts is a classification and description of elements and compounds, and an enumeration of their principal reactions founded on the doctrine of valency or rather equivalency. Substances are considered most nearly equivalent which manifest the greatest affinity to one another, and the prime indication of this special equivalency between two or more bodies consists in their capability of being freely exchanged for one another. This idea of exchange, that is, of direct or indirect substitution, forms the basis of the modern doctrine of chemical equivalents. Thus it is found in a great number of compounds, that one part of hydrogen may be replaced directly by twenty-three parts of sodium, or by thirty-nine parts of potassium. Now the resulting compounds manifest in constitution and properties a marked mutual resemblance to the hydrogenized body from which they were obtained; hence it is said that the atoms of sodium and potassium are equivalent to one another, and also equivalent to an atom of hydrogen. On this fundamental conception of the *chemical function* of every element and compound rests M. Geuther's excellent work. The notion of equivalency is in modern chemistry usually extended to that of the interchangeable value for hydrogen, and the doctrine is not by any means confined to elementary bodies, but the comparison is made between all the varieties of compounds with which chemists are acquainted, and more particularly those groupings are considered which are denominated radicles. Hence what the reader of

² "Lehrbuch der Chemie, gegründet auf die Werthigkeit der Elemente." Von A. Geuther. Erste Abtheilung. 12mo. Jena: Carl Doebereiner. 1869.

M. Geuther may expect to find is this: Given one or more molecules of any element, each consisting of two atoms, and the valency of the latter; given also the equivalent value of any other atom or complex radicle, in how many ways can these replace one or several atoms of the original body, and what different new compounds may by such a replacement arise? Having shown how many combinations are possible, he enumerates those that are known, with their prominent physical and chemical characters, and points out the gaps still left in the complete series. That this method of exposition must lead to new discoveries is obvious, but it shows at the same time that chemistry is still, perhaps more than any other physical science, in a certain transition state. No one who looks at the complex molecular arrangement often in comparatively simple bodies, as indicated by their formulæ, would think it possible that they even approach to a representation of their ultimate constitution; it seems as if a great molecular law were still wanting, to introduce simplicity and symmetry into the chaos of atomic arrangements. M. Geuther's great merit consists in excluding as much as possible the anecdotic and natural history portion of chemistry from his work, in confining himself to what is really of importance, and in placing the student at once in possession of all truly scientific facts in their most modern acceptance.

The "Contributions to the history of Chemistry"³ of which M. Kopp presents us with the second part, are written for the purpose of recording the views which were at various times entertained in reference to that branch or rather exorcism of Chemistry, called Alchemy. The present part adds greatly to our knowledge of the different collections of Greek treatises on Alchemy, and the ancient records of acknowledged authorities in the occult science. The opinions of the different authors and other remarkable men are individually discussed, and an explanation is given of alchemistic expressions, terms, and symbols. The volume closes with an alchemistic enigma, and a short article on the forms of oath in use among Alchemists. It is to be hoped that the progress of this work, of which every page bears proof of the wide research and profound scholarship of its author, will be furthered by the adequate support of historians as well as men of science.

Distinction in any science, either by high attainments or new discoveries in it, seems rarely to be accompanied by the faculty of explaining clearly the principles and applications of that science for the instruction of others. Professor Rudolph Wolf⁴ in Zürich has earned a high and well-merited scientific reputation by his researches on sunspots and their periodicity; he has also shown himself in a work on geometry, chiefly analytical, published in 1841, a sound and original thinker on mathematical subjects, but he seems either unacquainted with the real requirements of those who take up a "Manual

³ "Beiträge zur Geschichte der Chemie." Von Hermann Kopp. Zweites Stück. 8vo. Braunschweig: Friedrich Vieweg und Sohn. 1869.

⁴ "Handbuch der Mathematik, Physik, Geodäsie, und Astronomie. Von Dr. Rudolf Wolf. Erster Band. Erste Lieferung. 8vo. Zurich: Friedrich Schulthess. 1869.

of Mathematics, Physics, Geodesy, and Astronomy" for the purpose of study, or has, and we are inclined to believe this to be the case, allowed the peculiar historical tendency of his mind to outweigh a due consideration for the interests of his readers. If it was the intention of the author to write a short history of those doctrines, it ought to have been strictly carried out; on the other hand, the title of the work raises expectations which are not fulfilled. The whole is more a collection of formulæ with short demonstrations, often only intelligible to the experienced mathematician, than an orderly exposition of the science. The author treats, in 160 pages, which the first part contains, on the following subjects: Arithmetic and Algebra, Differential and Integral Calculus, and a portion of Geometry and Trigonometry; but a very considerable part of that space being occupied by biographical and literary notices of authors, only twenty pages are given to the whole of the Differential and Integral Calculus. In a "Manual of Mathematics" the calculus of Variations receives a passing notice on half a page, an equal space is given to the theory of Determinants; but the author devotes two pages to tell us quite suddenly, while we are engaged with the properties of the triangle, how in his opinion geometry ought to be taught in schools, and gives further an inordinate space to some new proofs and theorems which he has been so fortunate as to discover himself, but which are comparatively very unimportant. It appears that the author's work is connected with a small collection of formulæ, facts, &c., in these sciences, published by him some years ago. A comparison of this larger work (of which five parts have still to appear) with the previous publication, shows that the former contains but little more than the latter, beyond the voluminous historical notices above mentioned.

Dr. Lloyd's treatise on the "Elements of Optics"⁵ furnishes another proof for the truth of the apparently paradoxical statement with which we introduced M. Wolf's publication. We have the highest regard for the venerable and distinguished Dublin professor, who as a physicist has done great service to science; but we cannot speak well of his present addition to our educational literature. The first quality of a good elementary textbook is obviously that it should place the matter clearly and correctly before the student; the second that it should embrace the established elementary facts of the subject in their most recent form. Neither of these qualities are to be found in Dr. Lloyd's book. The statements are often obscure—sometimes even incorrect. Thus the author says—"The observation of the fixed stars is the result of the velocity of their light combined with that of the earth in its orbit, and its amount depends on the ratio of these velocities." The amount of what? In another place he states, "This portion of the light is said to be *irregularly reflected*, and its quantity decreases with the polish of the mirror." The truth is that its quantity decreases when the polish of the mirror increases. Speaking of the solar spectrum, all information which the author gives is that Frauen-

⁵ "Elements of Optics." By Humphrey Lloyd, D.D. Dublin: Hodges and Smith. 1869.

hofer distinguished more than 700 fixed lines in it: he does not say one word on the recent discoveries founded on these lines, and misses thus an opportunity to demonstrate some of the most beautiful and instructive results of modern scientific induction. Speaking of the adjustment of the eye to different distances, the author declares the hypothesis advocated by Ramsden and Sir Everard Home, which explains the adjustment by a change of curvature of the cornea combined with a change of figure of the entire eye, as the most plausible, although he subsequently states that Dr. Young, by an ingenious experiment, overturned that hypothesis. All this is almost unpardonable. To write a textbook of any science is a sacred office; the work ought to be prepared and repeatedly revised with the greatest possible care, and not a single ambiguity or error ought to remain in it when it is finally placed into the hands of students. The external appearance of the book—the diagrams huddled together on separate sheets at the end—and its exorbitant price, reminded us so strongly of the Cambridge textbooks of thirty years ago, that we looked again to the title-page. The year printed there is certainly 1849, and we may, after all, have blamed the author unjustly for overlooking what has been done during the last twenty years. Or is it only a printer's error?

Abbé Moigno proposes to publish, under the title "Scientific Realities," a popular digest of some of the most important recent researches and discoveries in astronomy, mechanical science, physics, chemistry, terrestrial physics, and meteorology. The first series of these papers is before us,⁶ and its contents are limited to physical and chemical subjects. The late Professor Graham's researches on hydrogenium, and the discovery by Professor Tyndall of the remarkable action of concentrated solar and electric light on the vapours of volatile liquids, are very clearly and concisely stated, although we should probably hesitate to consider as a "scientific reality" the generalizations to which the latter applied his experiments. His theories on the blue light of the sky and the nature of comets are by no means yet accepted by thoughtful physicists as the most probable solutions of those questions. The learned Abbé goes even one step farther than our countryman, who is still undecided whether the intimate physical elements of a cloud are vapour vesicles or infinitely small liquid globules. The French physicist declares the vesicles to be a myth; but he assumes in defence of his opinion a kind of capillary adherence between the droplets and the medium in which they are suspended, of which there exists no experimental proof whatever. The researches by Professor Frankland on the temperature of flames and their relation to pressure, Rankine's investigations on the heat disengaged in combustion, and the results of M. St. Claire-Déville's inquiries into the physical properties and calorific power of mineral oils, are among the most important subjects treated. The principal facts are nearly everywhere given in the words of the authors or discoverers, but they are

⁶ "Actualités Scientifiques, Mélanges de Physique et de Chimie pures et appliquées. Par M. l'Abbé Moigno. Paris: Bureau du Journal *Les Mondes*. 12mo. 1869. ●

introduced and connected in a manner at once instructive and interesting.

M. J. W. Müller publishes the first part of his investigations on the development of electricity by the mutual action of liquids.⁷ The final results of this inquiry are as yet not before us, but they promise to become of the highest importance not only to physical science but also to physiology and chemistry. In this volume the author gives a brief historical review of the previous researches by Becquerel, Nobili, Fechner, Kohlrausch, &c., describes his experimental arrangements and methods, and deduces from his experiments the general laws which determine the conditions necessary for the production of a current. We are looking forward to the completion of the work with the deepest interest.

In a volume entitled "How to keep the Clock Right," Mr. T. Warner⁸ discusses briefly the different methods usually adopted for keeping time, or rather for determining the rate of a clock. Finding that most of them involve a certain amount of trouble, partly through the necessity of investigating the errors to which the instruments employed are liable, partly through the complexity of the calculations required for deducing the final results of the observations, he proposes a new method of his own which is certainly recommended by its extreme simplicity. It consists in the use of a small immovable telescope with its axis nearly in the plane of the meridian, and consequently only capable of being used for observing those stars which are situated within a belt between two parallels of declination, the distance of which depends on the extent of the field of the telescope. Two vertical wires are fixed in the latter, and by observing the time of reappearance of a star from behind the first wire and its disappearance behind the second, and taking the arithmetical mean, the time of transit is found. The principle is irreproachable, and the working out of the method is facilitated by a set of tables. Nevertheless we doubt whether the author will see it frequently adopted; even for horological purposes the utmost precision is aimed at in our time. It cannot be denied, however, that to those who are satisfied with results approximately correct, Mr. Warner has done good service.

The title which M. O. Peschel has chosen for his work, "New problems of comparative physics of the Earth"⁹ is somewhat misleading. The great questions: on the origin of islands, and the peculiar phenomena of their flora and fauna; on the elevation and submergence of coasts, and the upheaval of mountain masses along them; on the formation of deltas and the structure of rivercourses; on the origin of

⁷ "Untersuchungen über Flüssigkeitsketten; Beiträge zur Physik, Physiologie, und Chemie. Von Jakob Worm Müller. Erste Abtheilung. 8vo. Leipzig: Breitkopf und Härtel. 1869.

⁸ "How to Keep the Clock Right, by Observations of the Fixed Stars with a small Fixed Telescope; together with Tables of Stars, &c." By Thomas Warner. 8vo. London: Williams and Norgate. 1869.

⁹ "Neue Probleme der vergleichenden Erdkunde." Als Versuch einer Morphologie der Erdoberfläche. Von Oscar Peschel. 8vo. Leipzig: Duncker und Humblot. 1870.

fjords, valleys, deserts, &c., have already engaged the attention, study, and thoughts of the most eminent physicists, geologists, and geographers, long before M. Peschel devoted himself to their investigation. There is, however, much that is novel in the author's conception of what should be the true province of a comparative study of terrestrial physics, and also in his method of treating the several problems before him, which may be stated to be the following. Taking any phenomenon, of which he intends tracing the probable causes, he primarily directs his attention to its distribution over the earth, fixes its localities and their geographical relation to one another. If some general law has been thus established, he looks to attending circumstances, chiefly derived from geological and climatological features, and discusses whether any of these, or the whole combined, throw a new light over the general phenomenon with which he started. The author is not himself a practical observer; he derives his facts from others and arranges them so as to show that they must lead to his ultimate generalizations; no direct proof has, however, in any case been given, that observation bears out the consequences of the author's ultimate laws. No instance can obviously be given here in which we could follow M. Peschel through any of the chains of demonstration adopted by him, but the genuine student of nature will, we are afraid, be reluctant to follow a writer who has never put his conclusions to the test of actual experiment or observation. M. Peschel's work recommends itself by a brilliancy of style which often reminds us of Humboldt's "Ansichten der Natur," and by a wonderful mastery of facts, to the attention of Englishmen of science, who from the variety of subjects treated will find the perusal of the work an excellent opportunity for making themselves acquainted with the scientific language of the modern German school of philosophers.

Before taking up the recently published translation of M. Pouchet's work entitled "The Universe; or, the Infinitely Great and the Infinitely Little,"¹⁰ we had formed some sort of notion of what might be said upon such a subject, and expected to find at least an attempt to contrast the effects produced by the *almost* infinitely great and *almost* infinitely small agencies which are constantly at work around us, and to expound the intimate correlation which exists between the grandest and the (apparently) most insignificant of the phenomena of nature. Such a plan, if well carried out, could hardly fail of producing a book at once interesting and instructive, but M. Pouchet, perhaps feeling himself unequal to the task, has attempted nothing of the kind, and his book is merely a general sketch of the natural history of animals and plants, of geological facts and of astronomical phenomena. The greater part of his book is in fact devoted to the consideration of objects remarkable neither for their great size nor for their littleness, and in his descriptions of the structure and habits of animals we meet with a continual recurrence of those comparisons between their organization and works and those of man which formed the stock objects of

¹⁰ "The Universe; or, the Infinitely Great and the Infinitely Little." Translated from the French. Large 8vo. London: Blackie. 1870.

natural theological wonder in the days of our childhood, but which would hardly have been expected from a French philosopher of the present day. This is particularly striking from the very outset, when M. Pouchet goes back to the old notion of Ehrenberg that the Infusoria possess many true stomachs, and here, by a curious blunder, of expression at any rate, if not of meaning, he conveys the notion that Dujardin's observations which at once upset the notion of the polygastric nature of these animalcules were prior to those of Ehrenberg. Confusion, indeed, reigns throughout the section devoted to microzoa; the microphyta are treated as infusoria; *Trichina* is placed as a microzoon; and the foraminifera, although placed under this head, are spoken of as molluscs; as at p. 38, where their shells are contrasted with those of *Tridacna* and the ammonites, and we are told that mollusca are "creatures, as it were, disinherited by creation!" Again, after telling us that "sponges are the lowest stage of animal life," he gives us to understand (p. 59) that they are the work of polypi, "fragile animals shrunk within their holes, and only half issuing to plunge their imperceptible arms into the waves"! Such passages as this lead one almost to believe that the work, big as it is, was really written by the author, as he tells us, "as a relaxation during a vacation." We may add that the illustrations, as is usual in French books of this class, are very beautifully executed, and that the translation appears to be well done, although here and there we meet with indications that the translator's acquaintance with natural history is not very profound.

We have repeatedly had occasion to notice the popular scientific writings of M. Louis Figuier, and we have now before us a translation of a treatise on physical geography by that author, entitled "Earth and Sea."¹¹ In treating scientific subjects, M. Figuier has a marvellous facility of seizing upon the most picturesque materials within reach, and placing them in a most striking point of view. Thus we have in this volume excellent descriptions of Alpine adventures, of earthquake phenomena, and of the icy polar regions. The translator has added considerably, and generally judiciously, to the book, which, being got up in a luxurious style and most beautifully illustrated, is really an admirable gift-book, and as such will be duly appreciated at the present season.

We need do no more than call attention to the publication of a new edition of Sir John Lubbock's "Prehistoric Times,"¹² which constitutes an admirable summary of our present knowledge of the early inhabitants of the earth, and of the condition of the world in which they lived. Sir John, as is well known, holds firmly to the opinion that existing savages have not become degraded from a previous state of civilization, and, holding this view, he finds in the accounts given by travellers of the conditions of life among savage nations, a clue to the

¹¹ "Earth and Sea," from the French of Louis Figuier. Translated, edited, and enlarged by W. H. Davenport Adams. 8vo. London: Nelson, 1870.

¹² "Prehistoric Times, as Illustrated by Ancient Remains, and the Manners and Customs of Modern Savages." By Sir John Lubbock, Bart., F.R.S. Second edition. 8vo. London: Williams & Norgate. 1869.

early history of our race. An uncompromising upholder of the Darwinian theory, he sees in it nothing antagonistic to morals or religion, but rather a ground for hope in the ultimate perfectibility of human nature.

Dr. Bickers has translated Professor Schleicher's epistle to Professor Hckel on the application of Darwinism to the science of language,¹³ originally published at Stuttgart in 1860. In this essay Professor Schleicher shows how a principle strictly analogous to that of natural selection, as laid down by Mr. Darwin, is to be observed dominating the development of languages, and he indicates that inasmuch as languages have changed much more rapidly than animal or vegetable organisms, and at the same time the remains of ancient and bypast languages are far more complete than those which we possess of the extinct faunas and floras, the recognition of the principle becomes proportionately easy. We fully agree with the author that this recognition will have a beneficial influence on the study of language; but the opponents of Darwinism will hardly accept his arguments as supporting the general theory.

The title of naturalist assumed by Dr. Bowden in his little work on the animals and plants of Norway¹⁴ is scarcely his by right: at least one cannot understand a naturalist, properly so-called, describing the beaver and the otter as "rival fishers," and placing the hedge sparrow among the finches. Dr. Bowden is apparently a sportsman, and his book is a tolerably pleasant gossiping account of the natural productions of Norway—in which, however, he sometimes displays an amount of credulity worthy of Bishop Pontoppidan, from whose work he quotes largely. Witness the account of the mode in which the foxes get the eggs of birds from the face of a precipice (p. 48). The author complains of the want of literature on the natural history of Norway, but is apparently unacquainted with the valuable papers which have been published in this country, especially upon its ornithology. His account of the flora is a mere list with localities.

In his "Lessons in Elementary Botany," published some years ago, Professor Oliver struck out a new mode of treating this subject. Instead of loading the mind of his readers with a set of dry generalities which they might or might not be able to apply practically, he commenced at once with the practical part of the business, by sending the learner to study the structure of some common plants with the aid of a clear and concise description of their various parts. From this elementary stage he proceeded to the description of the general functions of plants, and then to the modifications of their organs, the whole leading up to a sketch of classification illustrated throughout by the citation of the commonest examples. This plan he has now

¹³ "Darwinism Tested by the Science of Language." Translated from the German of Professor August Schleicher, by Dr. A. V. W. Bickers. Sm. 8vo. London: Hotten. 1869.

¹⁴ "The Naturalist in Norway; or, Notes on the Wild Animals, Birds, Fishes, and Plants of that Country; with accounts of the principal Salmon Rivers. By Rev. J. Bowden, LL.D. Sm. 8vo. London: Reeve. 1869.

modified to suit the wants of beginners in the study of botany in India,¹⁵ the principal change necessary being the selection of examples of common Indian plants, so that the learner in that country may be enabled to follow out the same course of instruction. This seems to us to be the best method that can be devised for conveying a notion of the first outlines of botanical science, and the work has been carried out by Professor Oliver in a clear and familiar style, which must bring the subject within the comprehension of any person of ordinary intelligence. The little volume is illustrated throughout with excellent outline figures of plants and their structure, and in an appendix the author gives some examples of botanical descriptions, and a list of works on Indian botany.

In a small volume entitled "Strong Drink and Tobacco Smoke,"¹⁶ Mr. Prescott describes the growth and structure of the plants implicated in the production of beer and spirits, and the characters of the leaves of the tobacco plant, and of those of some other plants which are employed in the adulteration of tobacco. The work, which is a posthumous one, and edited by Professor Huxley, is designed not only to give a general notion of the origin, mode of manufacture, and adulteration of the well-known articles of consumption mentioned in its title-page, but also, and indeed principally, to furnish some ideas of the nature of plant life as evinced by the phenomena of growth in the barley, yeast, hop, and tobacco plants. In these higher objects the author has been exceedingly successful, and we can recommend his book as being well adapted to produce some sound first impressions in botanical matters. The practical results of his investigation of the microscopic characters of tobacco will also be found exceedingly useful as a help to the detection of adulteration, and those interested in the manufacture of malt and malt-liquors, will find some valuable hints in the chapters devoted to these subjects. The work is illustrated with ten plates, containing a great number of good figures.

The second edition of Professor Gegenbaur's "Outlines of Comparative Anatomy"¹⁷ has received, as he tells us in his preface, a complete revision and considerable additions. In its present form it is one of the best handbooks of comparative anatomy with which we are acquainted, and with Professor Claus' "Outlines of Zoology," noticed in a recent number of this Review, it leaves nothing for the student to desire, always provided that he can read German. Professor Gegenbaur divides his subject into a general and a special part. In the former, after treating briefly of the nature of comparative anatomy and of the history and literature of the science, he discusses the general structure of the animal body, its constituent elements, the organs

¹⁵ "First Book of Indian Botany." By Daniel Oliver, F.R.S., F.L.S. Sm. 8vo. London: Macmillan. 1869.

¹⁶ "Strong Drink and Tobacco Smoke; the Structure, Growth, and Uses of Malt, Hops, Yeast, and Tobacco." By Henry P. Prescott, F.L.S. 8vo. London: Macmillan. 1869.

¹⁷ "Grundzüge der vergleichenden Anatomie." Von Carl Gegenbaur. Zweite umgearbeitete Auflage, mit 319 Holzschnitten. 8vo. Leipzig: Engelmann. 1870.

formed by the combination of these, and their morphology, winding up by indicating the recognised types of animals and the principles on which the comparison of various organs is to be effected. In the special section he describes the anatomical structure presented by the various groups of animals, considering that the time is not yet ripe for the adoption of an organological mode of treatment. As a temporary substitute for this, however, the author gives a second table of contents, for guiding the reader directly to those paragraphs in which the different systems of organs are described under the systematic divisions.

To the English reader one of the most striking features of the book will be the uncompromising manner in which the Darwinian "Descendenz-Theorie" is made to underlie everything,—it is treated not as an hypothesis which may or may not be true, but as thoroughly established and indisputable—in fact as furnishing the only light by which natural history questions can be viewed. In this country few people have any idea of the extent to which "Darwinism" is accepted in Germany. Professor Gegenbaur adopts seven types of animal structure, namely, Protozoa, Cœlenterata, Vermes, Echinodermata, Arthropoda, Mollusca, and Vertebrata, in which he agrees pretty nearly with most modern systematists; but we would call the attention of zoologists to a change which we do not remember to have seen suggested by any former writer, namely, the transference of the Tunicata and Bryozoa from the Mollusca to the Vermes, where he seems to regard the former as marking the transition towards the Vertebrata through the Leptocardia (*Amphioxus*).

We have received the first part of a second edition of M. Chauveau's Comparative Anatomy of Domestic Animals,¹⁸ containing the description of the skeleton, articulations, and muscles. The subject is treated from a strictly comparative anatomical point of view, that is to say, the general characters of the different parts are described, and then, the peculiarities exhibited in each animal are indicated. The work will prove of great value not only to veterinary students but also to zoologists.

Although not strictly a scientific work, Mr. Fleming's book on Horseshoes¹⁹ may be noticed here, as by far the greater part of its contents is of archaeological interest. The author, who is a veterinary surgeon in the Royal Engineers, discusses at great length all the evidence for and against the use of horseshoes in classical times, and shows clearly, it seems to us, that the practice of shoeing horses by means of metal plates nailed to the hoofs was unknown to both Greeks and Romans until a very late period. The references to protections applied to the feet of horses by the Romans, all indicate that the articles employed were rather of the nature of boots or sandals than of

¹⁸ "Traité d'Anatomie comparée des Animaux Domestiques." Par A. Chauveau. Deuxième édition, revue et augmentée, avec la Collaboration de S. Arloing. Première partie. 8vo. Paris: Baillière. 1870.

¹⁹ "Horseshoes and Horseshoeing; their Origin, History, Uses, and Abuses." By George Fleming, F.R.G.S., F.A.S.L. 8vo. London: Chapman and Hall. 1869.

shoes such as we now use, and the author ascribes to the Celtic inhabitants of Gaul the first invention of the modern horseshoe, and he seems inclined to agree with Megnin in dating the invention about the fifth or sixth century before our era. In his discussion of this question, the author has brought together an immense amount of most interesting information connected with the employment of the horse in all ages and among all peoples, and this portion of his work will be perused with great interest, not only by the antiquary, but by the general reader. The last six chapters of the book relate to the modern practice of farriery, and contain an elaborate examination of the modes of construction and application of horseshoes from the sixteenth century to the present day. On these subjects Mr. Fleming speaks with authority, and his remarks will prove useful to all veterinarians. The illustrations of the book are numerous and well executed.

Professor Waldeyer has published an essay on the Sexual Organs in the animal kingdom,²⁰ in which he treats in considerable detail, first, of the structure and functions of these organs when mature, and secondly, of the mode of their development in the embryo. He refers chiefly to the vertebrata, and among these to the higher forms, in which he finds that in the embryonic state a common urogenital rudiment exists. This is, however, early divided into two parts, called by the author the *germ epithelium* and the *epithelium of the Wolffian duct*; the former serves for the formation of the female germs and of their efferent ducts, whilst the latter is the rudiment both of the male sexual organs and of the urinary apparatus. Hence the primary foundation of the sexual organs has an hermaphrodite character even in the highest vertebrata. This work, which is illustrated with six large plates, is one of great importance to the physiologist.

The third edition of Dr. Frey's valuable Handbook of Histology and Histochemie has just been issued.²¹ This extremely useful work should be in the hands of English students, for assuredly we have no handbook capable of supplying its place. It is excellently illustrated by nearly 600 woodcuts, taken from the latest and best authorities; and amongst these we observe that full justice is done to the labours of our own countrymen, Drs. L. Beale and L. Clarke. Copious reference is made at the end of every section to the latest works and papers upon the subject of it. The learner will find this a trustworthy guide to the minute anatomy of the human body.

We have also before us the first part of an anatomical atlas by Dr. C. Heitzmann.²² The first part contains illustrations of the bones, articulations, and ligaments of the head and spine. The cuts are beauti-

²⁰ "Eierstock und Ei: ein Beitrag zur Anatomie und Entwicklungsgeschichte der Sexualorgane. Von Wilhelm Waldeyer. 8vo. Leipzig: Engelmann. 1870.]

²¹ "Handbuch der Histologie und Histochemie des Menschen." Von Dr. Heinrich Frey. Dritte Auflage. Leipzig: Engelmann. 1870.

²² "Die Descriptive und Topographische Anatomie des Menschen, in 600 Abbildungen." Von Dr. C. Heitzmann. Wien: Braumüller. 1869.

fully executed, but remind us strongly of those in Gray's Anatomy, being about the same size, and having the attachments of the muscles indicated by dotted lines and the names inscribed on the bones, as in Holden's and Gray's works. The description, however, is very meagre, and the student would require another anatomical book to supply the requisite information, were he to try to learn anatomy by means of this atlas; *e.g.*, the description of the ethmoid bone occupies less than twenty lines. The paper and printing are excellent.

Equally well printed and illustrated is the first part of the Norwegian Archives of Medicine.²³ It commences with an article on Monstrosities by Professor Panum. There are also articles on gray degeneration of the spinal cord by Dr. Jäderholm, and on morbus coxarius by J. Nicolaysen. Professor Voss gives the details of four cases of ovariectomy, of which three were successful. We wish the Journal every success.

At first sight we looked with some suspicion on Dr. Lagrelette's treatise concerning Sciatica;²⁴ finding hydropathy advocated as the cure of all sciatica, and Dr. Lagrelette, physician of the hydropathic establishment at Auteuil. He has, however, given a most careful account of the disease, its etiology, symptoms, diagnosis, cause, pathology, and treatment, and has consulted and reviewed the writings of those who have made it their study, as a bibliographical list of sixteen pages testifies. Unlike many French authors, Dr. Lagrelette avails himself largely of the labours and writings both of the Germans and our own countrymen, and we find the opinions of Brodie, Garrod, Graves, and Handfield Jones given along with those of Romberg, Valleix, Duchenne, &c. He enumerates a great many varieties of sciatica, and criticises the different modes of treatment by internal and external medication, and mineral waters. He does not speak very favourably of the treatment by means of the subcutaneous injection of atropine, but quotes Behier who had considerable success when he operated on the part affected, but not otherwise. A long list of cases is given in which a cure was effected by various hydropathic applications, sudation by dry heat, vapour baths and vapour douches, fumigation dry and humid, the pack wet and dry, the *douche écossaise*, and by cold applications, and in these 87 are included examples of almost every variety of sciatica. We think these details of treatment ought to be considered by our brethren. *Hydrothérapie* in this country is made a speciality by some who are called water-doctors, and are looked upon by the profession at large as quacks. Consequently many practitioners allow themselves to remain in ignorance of the benefit to be obtained from the above-mentioned appliances, which have nothing in common with the immoderate drinking of water and other like remedies recommended without reason by ignorant men.

M. du Cardonnay introduces us to an entirely new method of

²³ "Nordiskt Medicinskt Arkiv," redigeradt af Dr. Axel Key. Första Bandet. Stockholm. Samson and Wallin. 1869.

²⁴ "De la Sciaticque, Étude Historique, Sémiologique et Thérapeutique." Par le Docteur P. A. Lagrelette. Paris: Masson. 1869.

preserving health and curing disease.²⁵ He assigns the very highest value to the biodynamic method of orthomorphy, and the very lowest to every other. The uselessness of medicines of all kinds he especially points out. Of all the ills that flesh is heir to only one is cured by a drug; this is the itch, that gives way to sulphur. Sulphur, like all the rest of the contents of the druggist's shop, is a poison to mankind; but as it poisons *acarus scabiei* before it poisons the individual on whom he dwells, humanity escapes and the parasite dies. Baths and wells are equally inefficacious; so is hydropathy; so is electricity; so is bleeding; so are purgatives; so is homœopathy; so is the *méthode Raspail*. We are told that all disease is an alteration of form, and to restore the form is to cure the disease. Paralysis, for example, depends on abnormal muscular contractions which may be entirely cured by the biodynamic method of orthomorphy. Physicians make a grave mistake in thinking that paralysis has its origin in the cerebro-spinal system. On the contrary, "our experiments demonstrate to satiety that the cerebro-spinal system is affected by the morbid action, but never is the cause of it" (p. 240). What the biodynamic method is we are not very clearly told. Everything depends on the movement of the "nutritive molecule," and all hygiene is to be directed to this end. We are to begin at birth, and to be careful that the infant sleeps, and is rubbed and wiped, always with a view to the proper preservation of form and movement. But alas, we read (p. 76) that the life of man is too short to popularize a discovery of this importance, and it will take many generations to develop it. If any of our readers would like to know any more of the biodynamic method, we would beg them to read the volume for themselves.

In a memoir on the cause of leprosy,²⁶ Dr. Landrè boldly confronts the large majority of his opponents, and proclaims contagion to be the only cause of the propagation of this disease. Dr. Landrè's father, he tells us, has long practised in Surinam, and has carefully observed its victims there. Dr. Landrè himself had under his observation in Holland ten cases of leprosy, contracted in the colonies; but the chief part of his work is based on facts and statistics collected at Surinam. He gives twelve cases of children of European parents who contracted the disease, the parents being perfectly free from all suspicion of it, being of the higher classes and in easy circumstances. They could not have inherited it; but all were known to have come in contact with lepers. We cannot relate these cases in detail, but we think them worthy of being considered by those who are investigating the subject. It will be remembered that our own College of Physicians, in the Report of 1867, declared that leprosy is not contagious.

The second part of the second volume of the second series of the "Encyclopædia of the Medical Sciences" has just been issued,²⁷ com-

²⁵ "Méthode Biodynamique d'Orthomorphie—Régénération de la Forme et de la Santé sans Médicaments ni Instruments quelconques." Par Joseph du Cardonnoy. Paris: Librairie Internationale. 1869.

²⁶ "De la Contagion, seule Cause de la Propagation de la Lèpre." Par le Dr. Ch. L. Drognaat-Landrè. Paris: Baillière: 1869.

²⁷ "Dictionnaire Encyclopédique des Sciences Médicales." Paris: Masson. 1869.

prising LEU—LOC, in 400 pages. The first series, commencing with A, is being issued simultaneously. This dictionary is truly encyclopædic, containing articles on physics, medical biography, topography, baths and health resorts, botany, chemistry, besides all that belongs to medicine and surgery proper. We cannot but ask what is the use of so voluminous a work as this must necessarily be. Its bulk puts it beyond the reach of students as a work of reference, and it is nothing else. The early volumes will probably be almost out of date before the last are written. We have fifty pages on the anatomy and diseases of the lips, twelve upon lemonade, upwards of thirty upon lichen, while under the word *Lit* we are told everything about beds and cradles, orthopædic and other, if not from that of Eve, at any rate from those of the Greeks and Romans. Truly we may say, *Ars longa, vita brevis*.

Dr. Elam brings together in a volume, under various titles, seven essays on the connexion between mind and body.²⁸ They have all the air of having been published originally in some magazine, but we are not told that they were. They are essentially popular, suited to general readers, and in fact might have been written by a non-professional person who has 'got up' the subject from certain books. There is in them much that is interesting, much that is true, very little that is new. The first two essays, "Natural Heritage" and "On Degenerations in Man," are virtually upon the same subject, and M. Morel's treatise "des Dégénérescences" serves as the text-book for both. So the next on "Moral and Criminal Epidemics" owes much to Hecker's *Epidemics* and Mackay's *Popular Delusions*. What conclusion is to be drawn from the essay on "Body and Mind" it is difficult to say. As in many of the others, Dr. Elam collects a number of facts and anecdotes to prove that ~~such~~ may be said on both sides. Severe mental work is bad for us generally, but we have a list of some sixty of the greatest thinkers, who all attained the threescore and ten years. Also, mental application may be a "remedy in diseases both of body and mind." "Illusions and Hallucinations" is based on M. Brierre de Boismont's well-known work, with anecdotes from various sources, containing all the old stock stories from Nicolai of Berlin to the star of Napoleon. The last two essays on "Somnambulism" and "Reverie and Abstraction" might as well have been made into one. Here again we see that much is due to Dr. Carpenter and others. We would ask, What is the use of writing these papers for general readers without ever coming to any definite conclusions, without *teaching* anything at all? If they are a "physician's" problems, let us have them treated as a physician would discuss them before physicians. This Dr. Elam has not done. "For obvious reasons," as he says, he has omitted some of the most important questions in the first essays. The "obvious reasons" being that the book would not have been suited to the circulating libraries. The phenomena discussed in the last essays clearly depend on a partial activity of the brain, on one portion acting, the rest being in abeyance. Mr. Charles H. Moore has written a most

²⁸ "A Physician's Problems." By Charles Elam, M.D., M.R.C.P. London: Macmillan and Co. 1869.

interesting little book on this subject, which we noticed in our July number, suggesting that these states of partial activity or consciousness depend on contractions of particular arteries. But of this, and of Dr. Hughlings Jackson's writings on "Vascular areas," Dr. Elam says nothing.

We have seldom met with anything more absurd than the treatise on Mind and Brain, by George Duncan.²⁹ "The subject," we read, "is as difficult as it is vast, is even mysterious at every step, and has puzzled the greatest minds in all ages; yet let us hope that it is not insolvable" (*sic*). All existing theories and views are the "unfounded theories of prejudiced men." We are to study nature, and observe facts, and as a specimen of facts he gives a number of what he is pleased to call "cases," which are tales taken from various books about dreams, somnambulism, trance, clairvoyance, mesmerism, brain waves, spiritualism, &c. We do not think the problem of mind and brain will be solved by Mr. George Duncan.

Dr. Cotton's little book has reached a fourth edition—proof that its value is appreciated by the medical profession.³⁰ It is what it professes to be, an exposition of auscultation in relation to phthisis, not a treatise on phthisis. The advance in the symptoms is plainly narrated, from simple weakness of breathing to pulmonary excavation. And we would specially call attention to the concluding chapter, in which the physical signs of improved or arrested phthisis are briefly and clearly given. This latter portion is likely to prove useful to many.

Any writings which may tend to allay the panic at present existing on the subject of vaccination are to be commended.³¹ Dr. Nicholson's pamphlet may serve a useful purpose by putting forward the facts he has collected from the writings of Simon, Seaton, Masson, &c. It is by the spread of knowledge and education that this panic will be allayed, not by compulsory legislation, out of which, indeed, it has arisen. With Dr. Nicholson's suggestions as to the further extension of legislation we do not agree, and we are sure that they cannot be carried out, but we trust that what he has written concerning vaccination being a protection against smallpox, and upon the alleged injurious effects of vaccination, may be read and believed. The fears of the public are founded entirely upon the superstitions entertained as to the whole nature of disease.

²⁹ "The Various Theories of the Relation of Mind and Brain Reviewed." By George Duncan. London: Trübner. 1869.

³⁰ "Phthisis and the Stethoscope; or, the Physical Signs of Consumption." By Richard Payne Cotton, M.D. Fourth edition. London: Churchill. 1869.

³¹ "Is Vaccination Injurious? A Popular Essay on the Principles and Practice of Vaccination." By Henry Alleyne Nicholson, M.D. London: Churchill. 1869.

HISTORY AND BIOGRAPHY.

A "PHILOSOPHY of History," by Professor Hermann,¹ serves at least to show that the solution of the problem of our past and future civilization is a subject which continues to interest the speculative mind. Regarding himself as the spiritual successor of Hegel, the author of the work before us takes pains to indicate wherein he differs from that *a priori* constructor of science in all its various ramifications. In the first place, he complains of the abstract and ontological character of Hegel's method of investigation. Defining Hegel's historical survey as a continuous line of dialectical evolution, he objects to it as one-sided and unreal, and as cognizant only of successions, and not co-existences—order in time and not in space. In its moral or political aspects it is equally unsatisfactory. Instead of vindicating the free will of man, it regards all events as the results of a natural compulsion; instead of seeing in the future the goal of human endeavour, it places the consummation of man's development in the past. Moreover, it is purely conservative. It is neither national nor patriotic. Its ideal is an administrative absolutism, like that of Napoleon; and yet such is the ductility of the Hegelian principles, that the younger disciples of the great master quote his authority in support of their vision of a pure democracy. Professor Hermann, while acknowledging the value of Hegel's attempt at a philosophical construction of history, proposes to adopt a very different method. He proclaims the superiority of the *a posteriori* mode of investigation, and substitutes the laborious processes of the experimental philosophy for the brilliant sallies of the speculative faculty. How far he has been successful in his attempt, or even true to his principles, is a question that we will not undertake to answer off-hand. His great quarrel with Hegel arises out of a difference of opinion as to human liberty. That Hegel's view of causation is impaired by his ontological prepossessions is highly probable; but the assertion of a Metaphysical Entity, called Freewill, is in our opinion just as unreal and anti-scientific as the corresponding aberration. Then it is in vain that we look in Professor Hermann's pages for any large generalization or explanatory hypothesis of an inductive character. Universal history, he says indeed, is a complex of special histories; and he gives us accordingly much interesting and even excellent matter, under different heads, relating to the Greeks and Romans, the Jews, the Arabians, antiquity, the middle ages, and modern times; but we fail to discover anything deserving of the name of a law in his principle of a free development of the human mind, as the self-conscious subjective essence which has the objective reality of nature for its opposite.

Our German philosopher is fond of the East, and MM. Lenormant and Chevalier tell us a great deal about it in their students' "Manual

¹ "Philosophie der Geschichte." Von Conrad Hermann, Professor. Leipzig. 1870.

of Oriental History.”² The first two books of the Manual are taken up with a recital of the events related in our Biblical records, in which the writers, occupying the orthodox point of view, merely recapitulate the old story in the old way. The third book is occupied with the subject of Egyptian history and civilization, and contains a valuable condensed account of the events in Egypt’s past, the manners and customs, the discoveries and monuments, the religious and political institutions, which render the land of the Nile so mysterious and so fascinating. This historical and descriptive summary is very well done. The Assyrians follow the Egyptians, and the Babylonians bring up the rear in this national procession. The second volume, as we gather from the preface to the first, treats of the Medes and Persians, of Ancient Arabia, and India. China, partly from the fear of incompetency on the part of the author, partly from its isolated and uninfluential position, has no place in these annals of the past.

The Persians are generally held accountable for the belief in the existence of the Devil. Herr Roskoff, without pronouncing absolutely as to the historical origin of this personage, and conceding the possibility of a common primitive tradition, considers that, in his maturity, the Prince of Darkness is unquestionably of Persian extraction.³ It was not till the exile, not till they had become acquainted with a definite dualistic system, that the Israelites were led to give a distinct prominence to the idea of Satan, and exhibit the Principle of Evil in a more developed shape. The resemblance which the Satan of the later Hebrew literature bears to the Ahriman of the Persian theology, affords a decisive proof of the correctness of this opinion. Following the growing ascription of important functions to this mysterious being, his biographer traces his progressive accession to imperial attributes, till, in the New Testament, he appears as the ruler of this world, the prince of the powers of the air, and the universe becomes divided into two antagonistic monarchies, the Kingdom of God, or of Light, and the Kingdom of the Devil, or of Darkness. This peculiar dualism Dr. Roskoff finds not only among the Hebrew and Aryan varieties of mankind, but among Chaldeans, Phœnicians, Greeks, Romans, Germans, &c., and much curious information respecting the superstitious beliefs which have prevailed, and still prevail, in the world, will be found in the learned volumes before us. The history of the Devil himself, as he appears in our Biblical narratives, in the early patristic literature, in the Talmud and Kabbala, in the records of the fourth, fifth, and sixth centuries, and again onward to the thirteenth, and so over the epoch especially characterized as the Devil’s own time, up to the publication by Pope Innocent VIII. of the bull *Summis desiderantes* in the fifteenth century, is related with much picturesque detail, in successive sections of the first volume. Next comes a description of

² “A Manual of the Ancient History of the East, to the Commencement of the Median Wars.” By François Lenormant, Sub-Librarian of the Imperial Institute of France, and E. Chevalier, Member of the Royal Asiatic Society, London. Vol. I. London: Asher & Co. 1869.

³ “Geschichte des Teufels.” Von Gustav Roskoff. 2 vols. Leipzig. 1869.

the curious mediæval ceremonial called "Satan's Lawsuit," in which a diabolical indictment is brought against the whole human race, with Christ as judge, and the Virgin as counsel for the defendant, an arrangement which the Devil thinks very unfair, as the awarder of the sentence cannot but be influenced by the tears and persuasion of his mother. Many pages are devoted to the theatrical career of the Devil, as Fool and Merryman, and so the first volume of this extraordinary biography closes. In the second volume we find a further development of the conception of the Devil, and a description of phenomena and events as constituents in his history, including the superstitious paroxysms of some religious sects, magic, witchcraft, &c. Luther's belief in the Devil, and the history of this invisible potentate in the sixteenth, seventeenth, and eighteenth centuries, the gradual decay of his subjective sovereignty, and the inferior position which he holds in the present age, when the alleged dualism of God and the Devil is directly contradicted by the facts of history, are the topics of the second volume. The work indicates great research, and is certainly both instructive and entertaining.

The theological conception of a natural dualism has its evident origin in the contrast which the struggling beneficial and destructive influences of nature suggest. Thus Mr. Mahaffy, in his agreeable little volume observes,—“Generally the good deity is put to death by the evil one, but revives again in greater splendour: so the night is conceived as hostile to and destroying the day, so the fierce heat destroys the spring and the green herbs, but in due time they are recovered and return.”⁴ The legend of Osiris the Sungod, and Typhon the Power of Darkness, with perhaps a latent allusion to the Nile and the principle of moisture, and the deadly drought which dissipates the moisture of the river, as opposing forces, exemplifies the conception and illustrates the origin of the theology on which Dr. Roskoff has so much to say. Mr. Mahaffy's twelve lectures, however, are not confined to speculations of this kind, but discuss the several characters of primitive civilization and its physical conditions. Two chapters are given to Egypt, one to Mesopotamia, three to the Semites, Arabia, Palestine, Phœnicia, and two to Asia Minor and Greece. The concluding three set forth the writer's views on forests, mountains, and methods of colonization. The lectures are agreeably written, but are sketchy and unsatisfactory. What philosophy of history, for instance, can we expect from an author who believes that the Semitic nations, from time immemorial, comprehended that the government of the world was an absolute monarchy, that the errors and beauties of idolatry and polytheism never influenced them, and that it is by *revelation* that the masses of men originally learned the belief in God?

Notwithstanding the supernaturalistic character of Mr. Mahaffy's creed, he is perfectly convinced of the existence of prehistoric man, and quite prepared to grant him an antiquity of 100,000 years.⁵ The Rev.

⁴ "Twelve Lectures on Primitive Civilization and its Physical Conditions." Delivered at the Alexandra College. By John P. Mahaffy, A.M., Fellow and Tutor of Trinity College, Dublin. London: Longmans & Co. 1869.

⁵ "Facts and Dates on the leading events in Sacred and Profane History, and

Alexander Mackay, who has exercised his ability in constructing an ingenious and apparently appropriate *Technica Memoria*, places the creation of man no further back than B.C. 5478, following the Septuagint chronology. Mr. Mackay certainly has no historic doubts. He knows the year in which the Pelasgi arrive in Italy and Greece, in which the Hellenes expel the Pelasgi, the Trojan War ends, and Æneas migrates to Italy. Cæcrops, an Egyptian, it seems founded Athens in B.C. 1556, and Romulus slew Acron in B.C. 741. Mr. Mackay believes devoutly in Messrs. John Taylor and Piazzi Smyth, and thinks that there is satisfactory evidence that the architect of the great pyramid knew the mean distance of the sun from the earth with an exactitude to which modern science never approached till within the last seven years, the said architect being one of those pious and privileged post-diluvians "who reverently cherished the primæval revelation vouchsafed by the Creator to our species, and who were, by some means or other, most certainly in possession of that grand secret which for the last two thousand years science has in vain been endeavouring to discover for herself, and relying on her own unaided resources." It is a remarkable circumstance that the re-discovery of this grand secret should have been reserved for a period posterior to the year 1862, for it was not till the opposition of Mars, which took place in that year, that M. Winnecke set on foot a series of concerted observations, which establishing the fact that the parallax of that planet had been under-estimated, led to the conclusion that the assumed dimensions of the planetary orbits had been over-estimated, and that as a consequence the sun's distance was nearly four millions of miles less than had been calculated. Only since this correction has the pyramid revealed its secret, a significant and suspicious circumstance.

Mr. George Long tells us, on the authority of Cicero, that a claim was made to the land of the pyramids by the Romans, or by some Romans, in the year B.C. 65, founded on an alleged bequest of an Egyptian king named Alexander.⁶ Supposing the king intended to be Alexander I., who died in B.C. 89 or 88, the preferment of the Roman claim in the year B.C. 65, may be explained by the consideration that at that time there was a man rising into power whose object it was to ingratiate himself with the people by a fresh annexation, and that previously to this time the Romans were indifferent to the legacy, or that the story of the legacy was a late invention. Mr. Long's ambitious aspirant is Julius Cæsar, of whose ability the historian of the "*Decline of the Roman Commonwealth*" has no doubt, but of whose self-regarding views and unscrupulous despotism, he is equally convinced. The period of Cæsar's career, comprised in the third volume of this valuable work dates from the prætorship of the great dictator, B.C. 62, to his consulship, B.C. 59. Among the questions that Mr.

the principal Facts in the various principal Sciences, the Memory being aided throughout by a simple natural Method. For Schools and Private Reference." By the Rev. Alexander Mackay, author of "*A Manual of Modern Geography*," &c. &c. Edinburgh and London : William Blackwood & Sons. 1869.

⁶ "*The Decline of the Roman Republic*," By George Long. Vol. III. London : Bell and Daldy. 1869.

Long discusses is the merit or demerit of Cæsar's Agrarian Law, which he condemns utterly, regarding it as a mere device for winning popularity, and as a mistake in political and social economy. If Mr. Long's discussion challenges cross-examination, in its turn, the fact that he *has* discussed the proposed measure, is highly creditable to him. It is characteristic indeed of Mr. Long's historical spirit, that he always prepares the way for his narrative by a preliminary disquisition if necessary. Thus, in considering the charges against Catilina, he weighs the evidence placed before us by Cicero, whose inconsistency and virulent random invective he exposes, and by Sallust, on whose incapacity for writing history he has some appropriate remarks. The third volume of Mr. Long's work begins with the Mithridatic War, B.C. 78; then follows the story of the Servile Insurrection under Spartacus, on which the author observes, "there is no record of any man ever contemplating the extinction of slavery, which was devouring Italy, unless it may be that the reforms of the Gracchi were intended indirectly to bring about this result." In the fourth chapter Mr. Long examines the character of Cicero's orations against Verres, and while condemning the conduct of that governor, denounces the misdemeanours of the provincial rulers in general, declaring that most Romans viewed the provinces as places in which they might repair their broken fortunes or add to their exorbitant wealth. The war with the pirates and the siege of Jerusalem by Pompeius are among the remaining topics treated in this volume. For a careful revision of the greater part of it, implying a critical investigation of authorities, Mr. Long and his readers are indebted to the Rev. J. H. Backhouse, of Felstead Grammar School, in Essex.

The views of conservative half-and-half theorists of the progressive school, or of narrow-minded, but complete theorists of the retrograde school, like two of the writers noticed above, form a curious contrast to the bold speculations of such a man as Mr. Francis Galton.⁷ In his daring and suggestive inquiry into the laws and consequences of Hereditary Genius, he carries us away from the private rills and rivulets of ordinary theory into the broad flood of oceanic historical speculation. The volume before us is an elaborated form of some papers published four years ago in *Macmillan's Magazine*—papers which, says the author, comparatively imperfect as they were, were sufficiently convincing to earn the acceptance of Mr. Darwin. The immediate object of the volume is to show—1. That a man's natural abilities are derived from inheritance under exactly the same limitations as are the form and physical features of the whole organic world. 2. That it is as practicable to produce a highly-gifted race of men by judicious marriages, during consecutive generations, as to obtain by careful selection a permanent breed of dogs or horses endowed with any given quality. 3. That at the present moment there are certain social agencies working towards the degradation of human nature, and others working towards its improvement; and 4, as the necessary conclu-

⁷ "Hereditary Genius: an Inquiry into its Laws and Consequences." By Francis Galton, F.R.S., &c. London: Macmillan & Co. 1869.

tion, That it is the duty of each generation to investigate and exercise the range of power which it possesses for the amelioration of its kind, in a way that, without being unwise to ourselves, shall be most advantageous to future inhabitants of the earth. To obtain the preliminary data for the establishment of these remarkable, though not absolutely novel propositions, Mr. Galton has made an examination into the kindred of about four hundred illustrious men of all periods of history, has inspected many pages of biographical dictionaries and volumes of memoirs, and has instituted various minute inquiries into different aspects of the subject. The first to treat the topic in a statistical manner, to arrive at numerical results, and to introduce the law of deviation from an average into discussions on heredity, Mr. Galton has a special claim on the thoughtful attention of his readers, even though his book should be found occasionally inaccurate or deficient. He subdivides his material into sections of classification, according to reputation or natural endowments, making a comparison of the two classifications; and after explaining his system of notation, he endeavours to track the operation of the principle for which he contends along lines of descent or ramifications of natural relationship, in the families of judges, statesmen, peers, commanders, literary and scientific men, poets, musicians, painters, divines, scholars, and athletes, with, as appears to us, a preponderance of affirmative or favourable exemplification. The instances in which a plurality of capable descendants or kinsmen are found in the same family are too numerous and too marked to allow of any other explanation than that on which Mr. Galton insists, though in some few instances the evidence adduced is not so full or so relevant as could be wished. Among the names that have been rendered conspicuous by more than one member of the family may be enumerated those of Scipio, Seneca, Pliny, Herschel, Humboldt, Wollaston, Cecil, Bacon, North, Walpole, Napier, Fox, Pitt, Hallam, Coleridge, Wellesley, Sheridan, Mill, D'Israeli, De Witt, Colbert, Mirabeau, Buonaparte. Out of 286 judges, more than one in every nine have been either father, son, or brother to another judge; and the other high legal relationships have been even more numerous. From the consideration of personal affinities Mr. Galton passes to an estimate of the comparative worth of different races. The average intellectual standard of the negro race he places two grades below our own; the Australian type one grade below the African negro; the most capable constituent of the most capable race of the old world, the people of Attica, two grades higher than ourselves. The Northern English and Lowland Scotch are a fraction superior to our ordinary countrymen; while the mass of men and women in great towns constitute an overworked and degenerate stock. In a suggestive discussion, Mr. Galton points the moral included in his premises:—"The needs of civilization, communication, and culture, call for more brains and mental stamina than the average of our race possess; that our race is overweighted and oppressed by demands that exceed its powers. The old ancestral tendency to restlessness and intermittence of action is gradually dying out. Modern leading men do not belong as a rule to the once famous

Norman type, but are of a coarser and more robust breed." Reviewing the influences that affect the natural ability of nations, Mr. Galton undertakes to estimate the effect of the average age of marriage on the growth of any section of a nation, and argues, that to improve the breed our wisest policy would be to retard the average age of marriage among the weak, and accelerate it among the strong. Against Malthusianism, as a *present* rule of conduct, he protests as encouraging the multiplication of the incompetent, and discouraging that of the race best fitted to invent and conform to a high and generous civilization. Similarly Mr. Galton condemns the enforcement of celibacy by the Church in the past, as tending to produce ferocious and stupid natures. Whether, in the case of Malthusianism, the result deprecated by Mr. Galton would be inevitable, and whether the celibate life of the old Church had not compensating or counter-acting accompaniments, are questions that might very well be raised. However this may be, Mr. Galton's clear vigorous statement of the argument which he sustains and the course which he advocates, his statistical illustrations, his suggestion of a derivation of mathematical formulæ from the doctrine of Pangenesis, and the general ability and originality of his treatise, make it a worthy contribution to the discussion on Natural Selection, which Mr. Darwin so magnificently inaugurated and so intrepidly continues.

The race whose ultimate deposition Mr. Galton predicts, was in the full enjoyment of its glorious vitality when, eight hundred years ago, in the field of Senlac, the old Teutonic tactics were matched against the arts and valour of the Norman invaders. The story of the Conquest is related by Mr. Freeman⁸ in the third volume of his book, as it has never been related before. Over great part of this volume indeed there rests an epical splendour,* worthy of the arms and of the man whom he sings. The preparation for the invasion, the felling of ships, the muster of the adventurous band, the sail of the fleet with the blazing lantern, the blaring trumpet, the ducal ship alone at dawn of day, and the sailor climbing the topmast to see if any of the other vessels were in sight; the march, the Norman and Saxon camps, the messages, the attack, the exploits of William, the hand-to-hand fight at the barricades. The success of Harold when "the shield-wall was still unbroken and the Dragon of Wessex still soared unconquered over the hill of Senlac, William's stratagem—the pretended flight—the fatal pursuit, the close combat, the vertical shower of arrows; and when the bolt from heaven had pierced the king's right eye, the fall of the standard of the "Fighting Man," and the close of the martial tragedy in death, defeat, and loss of empire—all the circumstance, in short, that glorifies or explains the memorable appeal to arms that followed the landing on St. Michael's Eve, is reflected with a truth, a brilliance, and a reality, in Mr. Freeman's narrative, which seems, as by an act

⁸ "The History of the Norman Conquest of England: its Causes and its Results." By Edward A. Freeman, M.A., late Fellow of Trinity College. Vol. III. The Reign of Harold and the Interregnum. Oxford: At the Clarendon Press. 1869.

of enchantment, to transport us back into the remote past, or to bring that past in visible embodiment before us. The volume itself opens with an account of the sickness and death of Edward, which is succeeded by a narrative of the election and coronation of Harold and the early incidents of his brief reign. The second chapter has for its subject the later reign of William in Normandy, his marriage with Matilda, his wars with France, the conquest of Maine, and Harold's visit at Rouen, with his share in the war against Brittany, and his oath and homage to William. The thirteenth chapter of the *History* sets forth all the negotiations of Duke William; the fourteenth describes the Norwegian invasion and the campaign of Stamfordbridge; the fifteenth conducts us through the campaign of Hastings to the fall and burial of Harold, and the sixteenth closes with the interregnum, and consecration of William. In an appendix of rather more than two hundred pages many important topics are discussed in detail, as the authority of the Bayeux tapestry, which Mr. Freeman regards as a contemporary work made for Bishop Odo and the church of Bayeux; Edward's bequest; the oath and the election of Harold; William's marriage; the details of the battle of Stamfordbridge, and more than thirty other distinct topics. The three valuable maps illustrating the scene of Harold's victory over the Northmen, the voyage and campaign of William, and the battle of Senlac, must not be forgotten in enumerating the merits of the book. Space will not allow us to enter on a detailed criticism of the history before us; but there are some points, not all necessarily of disagreement, on which we desire to touch. Mr. Freeman holds that Harold, as king by the national will, was a more lawful king than any that ever reigned over England. His true title to the crown was his election by the Witan, and it is undeniable that the chief men of all England are said to have concurred in the choice. Northumberland, however, Mr. Freeman allows, was never fairly represented, and the Northumbrians, though ultimately persuaded into acquiescence, at first refused to acknowledge Harold as king. The bequest of Edward, which he regards as merely a recommendation to the Witan, he considers to be a well-attested fact, and he refers to Florence of Worcester and the *English Chronicles*, as if they were independent authorities. It does not seem to be certain that the *Peterborough* and the *Worcester annals* are contemporary records; so that it is doubtful whether Mr. Freeman has that triple evidence in favour of the bequest on which he lays so much stress. The counter-plea of the Normans of an earlier nomination in Duke William's favour Mr. Freeman sets aside with the remark that whatever right it might give him was taken away by the later bequest in favour of Harold. As to Harold's oath, Mr. Freeman thinks it probable that he did take an oath of formal homage to William, but he throws no very great light, though he does throw some light, on the subject. He regards it moreover as but of little importance, since whatever Harold's guilt in taking it, William's, he thinks, was greater in exacting it, and it in no case affected the English people. Mr. Freeman's defence of Harold's right to the throne, grounded as it is on the national will, is a powerful one. William, notwithstanding, might fairly think he had

a claim to the English throne, pleading Harold's oath, Edward's earlier nomination of himself, when that king was not distracted by death-bed fancies, and the support accorded him by European opinion and the Papal power. Mr. Freeman's exaltation of Harold seems excessive. Surely, compared with the Conqueror he was but an ordinary fighting king. The eulogist has certainly made the most of his hero; but the praise which he has bestowed on the fallen English chief comes with such graceful earnestness from his pen, that as Harold lies dead beside his fallen standard, we feel it ungenerous to criticise too severely his claims on our admiration. The achievement of the last English king at Stamfordbridge is a passage in the "History" to which we must refer for another description of a battle-field only inferior to that of Senlac. We are particularly grateful to Mr. Freeman for having substituted a true story for the legend that has so long been told of that famous fight. Herejects the well-known dialogue before the battle, and the glowing narrative of the battle, as plainly mythical, and the seven feet of ground for the king of Norway passes henceforth into the region of fable. We particularly commend Mr. Freeman for the force and spirit with which he realizes the growth and action of the religious European sentiment to which the invasion of England was a crusade, a holy war to chastise the alleged wrong and perjury of a faithless vassal and a recusant realm, without subscribing to all his hard words against Gregory VII., or the armed missionaries of Christ's vicar. The last point which we shall select for comment is the general impartiality with which the historian discusses certain slanderous tales with which the fair fame of the rival captains has been assailed. We trust we shall never hear again of Duke William's poisoning Conan, or beating his wife, or of Harold's kicking his mother. Mr. Freeman's research, his great knowledge, his examination of testimony, his clear exposition and vivid narrative power, are forcibly exhibited in this volume.

The spacious times "of great Elizabeth" shall here have place next to those of Harold and the Norman Duke.⁹ Mrs. E. Green, in the penultimate volume of this Calendar, has given an admirable abstract of the State papers which illustrate the period 1598-1601 of her reign. The volume has no introduction, but a glance at the index, under the names England, Elizabeth, Devereux, &c., will serve to show the value and variety of the contents. The tongue of scandal seems to have been busy in 1598 in spreading the news that "Lord Southampton had married Mrs. Vernon, whom he had got with child," and adding as a postscript, "Maid of the Court go scarce twenty weeks with child after they are married, and every man has liberty of conscience to play the knave." On June 30th of the same year, George Fenner wrote to a correspondent at Venice, "It is thought that the Earl of Essex is much discontented, and it is muttered at Court that he and the Queen have each threatened the other's head."

⁹ "Calendar of State Papers. Domestic Scenes of the Reign of Elizabeth. 1598-1607. Preserved in Her Majesty's Public Record Office." Edited by Mary Anne Everett Green, under the direction of the Master of the Rolls, &c. London: Longmans & Co. 1869.

On 25th February, 1601, Essex lost his, protesting that he never meant death or violence to Her Majesty's person, but according to a note of Lords Egerton, Buckhurst, Cecil, &c., he stated, voluntarily, that Blount, Cuffe, and Temple had more dangerous and malicious ends than could have been prevented if his project had gone forward. The papers connected with his trial are numerous and full of interest. That containing an account of the execution, is a vivid reproduction of that tragical transaction.

The imputations against Elizabeth's own personal purity are entirely rejected by Mr. Froude, who, in the two volumes which complete his *History of England*, has drawn a portrait of that queen which is the reverse of flattering.¹⁰ Her vanity, he tells us, was as insatiable as it was commonplace; her entire nature was saturated with artifice; her letters and speeches were as fantastic as her dress; she was unnatural even in her prayers, and did not seem to understand what honour meant; in the art of lying her dexterity was surpassed only by the cynical proficiency of Mary Stuart; of perjury, and treachery to her political friends, she was frequently guilty. The statesmanship, for which opinion has given her credit, Mr. Froude strongly insists was not her own. He declares that she never modified a course recommended to her by Burleigh without injury both to the realm and herself, and she starved and mutilated her ministerial policy when it especially needed energy and completeness. She had no particular respect, he says, for the Church of England, and for dogmatic protestantism she had an absolute contempt. To her, as to Henry IV. of France, all specific religions were equally fictions of the imagination. The problem that she had to solve consisted in discovering a method for the peaceable co-existence of Protestants and Catholics in England, and as representative of the Protestant interest, by birth, by position, and every political and social circumstance, she was compelled to constitute herself champion of the Protestant cause. The establishment of spiritual independence was completed without bloodshed under Elizabeth's auspices, and to Elizabeth Mr. Froude is willing to accord the glory of the work. Only, as far as we have observed, in one single reference, unless her self-asserting despotism in the case of the Anglican Church be considered a second exception, did Elizabeth exhibit practical sagacity, and that was in the selection and support of her ministers and public servants. Burleigh and Walsingham held their places only through their mistress's pleasure, and, adds the historian, it was Elizabeth alone who enabled them to accomplish any fraction of their policy, and he admits, though we presume he limits his encomium to one particular occasion, that though she might have possibly done more, "yet she deserves credit for the much that she did." While condemning Elizabeth's excessive parsimony, extended even to the dockyards, Mr. Froude acknowledges that she had taken

¹⁰ "History of England from the Fall of Wolsey to the Defeat of the Spanish Armada." By James Anthony Froude, M.A., late Fellow of Exeter College, Oxford. Reign of Elizabeth, Vols. V. and VI. London: Longmans, Green, & Co. 1870.

one precaution for efficiency in the hour of need which was characteristic of herself, she had placed at the head of her naval administration the fittest person in her dominions to manage it, Sir John Hawkins ; and when the moment of trial came, Hawkins sent her ships to sea in such condition that they had no match in the world either for speed, safety, or endurance. Considerations such as these facts suggest, incline us to hesitate before we receive Mr. Froude's opinion of Elizabeth's statesmanship as final. Elizabeth had at least that clear vigorous common sense which enabled her to discern the merits of a particular policy recommended by her ministers, and though she may often have tried to modify, without improving it, she showed by her general acceptance of it a capacity for appreciating the political situation and requirements. Her economical tendencies and habitual thrift, if sometimes misapplied, had the happy result of keeping down the national taxation. She lived simply ; she worked hard ; she was popular with the multitude ; she was singularly courageous, and though perpetually a mark for assassination, was never frightened into cruelty during the many years of her harassing reign. As regards the treatment of Mary Stuart, Mr. Froude insists that she erred only on the side of mercy, that "it is the one relation in which she showed sustained and generous feeling." The accusation brought against Elizabeth of endeavouring to procure the death of Mary Stuart by secret agency, *after her condemnation*, in order to escape all personal responsibility, Mr. Froude considers established. The evidence for the accusation depends, mainly if not entirely, on the genuineness or non-genuineness of the Secretary's letter to Sir Amias Paulet, which appears never to have been heard of till nearly a century and a half had elapsed from its alleged date of composition ; but Hallam refrains from pronouncing the letter spurious, and Ranke agrees with the verdict of our latest anti-Elizabethan historian. Prompted by a spirit of stern impartiality, Mr. Froude declares that bloodstains from the Cumnor Tragedy clung to the skirts of the queen as well as of Leicester, though he limits the Earl's real guilt to connivance after the event. In the brilliant narrative of the invasion and defeat of the Armada, Mr. Froude has omitted to notice Elizabeth's presence at Tilbury, or her famous address to the troops. We are aware that this spirit-stirring speech was not delivered till after the 19th August, that is, not till after the departure of the Spanish fleet, but as it was still expected that the Armada might return, the late date affords no argument against the reality or sincerity of the transaction, and if Mr. Froude rejects both the event and address as fabrications, he might at any rate have found room for an explanatory word or two. Taking a more general view of these final volumes, we observe that the author, abandoning his earlier intention of bringing down his History of the transition from Catholic monastic England to the England of progressive intelligence, selects the defeat of the Armada as the proper close of his work, instead of carrying it down to the death of Elizabeth, and as the action before Gravelines decided the fate of England, of Philip's revolted provinces, of Henry of Navarre's succession, and of the Reformation in Germany, he has no difficulty in justifying his

change of purpose. In our historian's reversal of the prevailing estimate of Henry VIII. and Elizabeth, there is something like a double paradox to get over. The father is placed on an elevation high above all reproach; the daughter is degraded far below the mark to which even a non-hero-worshipping public opinion had raised her. In the fresh instalment of his work Mr. Froude maintains the same general views which have been advanced in previous volumes, exhibits the same quiet narrative power, the same picturesque simplicity of language, occasionally disfigured by worn-out metaphors or mean colloquialisms, the same diligent research, and the same independent judgment. In his, as in Mr. Freeman's history of the Conquest, and Carlyle's "Frederic II.," the great literary fault of which we complain is the vast variety of detail, obstructing the historic prospect as a whole, weakening the impression and burthening the memory. The passages which have struck us most in these volumes are those relating to the murderous hunt among the caves of Rathlin, a new and recent disclosure of England's dealings with Ireland: to Mary Stuart's trial and execution, and to the invasion and defeat of the Spanish Armada. Mr. Froude is to be congratulated on the completion of a work which has deservedly gained him a high place among contemporary historians.

In a pleasing little volume, entitled "*Devonshire Celebrities*,"¹¹ Mr. T. L. Pridham has sketched with a rapid hand the portraits of many illustrious men of the Elizabethan age—Drake, Hawkins, Raleigh, Grenvil, and others renowned for achievement of sword or pen. Notable men of our own time—Kelland, Morris, Bowering, Speke, Capern, Kingsley, and Froude, also meet us in these records of West-Country worthies. But the author has not limited his researches to these two periods. He has included in his comprehensive, though not exhaustive catalogue, such time-honoured personages as Odon and Orgar, and ecclesiastics of such resounding names as Alfuoldus and Alwofrus. The condensed biographical notices thus drawn up, of men that have made Devon memorable, amount to nearly one hundred and thirty. Song, oral tradition, legend, and anecdote, are interspersed in the grave narrative matter. In the sketch of the life of Admiral Sir Richard Keats, will be found some original letters from the Duke of Clarence to his "old shipmate and watchmate," as well as from Lord Nelson, who praises the veteran seaman for his "brave heart and judicious head." The book is enriched with twelve illustrations, some of which—Rembrandtish-looking and curiously elaborate portraits—are capital specimens of the photographic art.

About six years before the accession of Elizabeth, died the great religious reformer, Jean Calvin.¹² Dr. Kampschulte, Professor of History in the University of Bonn, has published the first volume of

¹¹ "*Devonshire Celebrities*." By T. L. Pridham, M.R.C.S.L. Illustrated with Photographs. London: Bell & Daldy. 1869.

¹² "*Johann Calvin, seine Kirche und sein Staat in Genf*." Von F. W. Kampschulte, o. o. Prof. d. Geschichte d. Universität Bonn. Erster Band. Leipzig. 1869.

what promises to be a comprehensive and satisfactory account of "Calvin, his Church and his State in Geneva," believing that whatever may be the merits of previous biographical works in the German language having Calvin for their hero, they are very far from answering to the demands of the present time. His own book, as he intimates, is based on exact and ample knowledge, derived from historical documents and collections of letters, which were, till a comparatively recent period, inaccessible, or accessible only with great difficulty, or which have some of them been re-edited with a more accurate text, and with additional and hitherto unknown material. The volume before us consists of four books, the principal topics of which are, the Restoration of the Independence of Geneva; the Introduction of the Reformation; Calvin's early proceedings in Geneva, his residence in Germany, his return, and the preparations for, or the installation of, a new *régime* in the city which so long recognised his supremacy. In the third book will be found a critical estimate of Calvin's "Christian Institutes." This work, in our historian's judgment, contains sections on the sublimity of Holy Writ, the importance of prayer, the misery of fallen man, which most powerfully impress the reader. Passages may be cited from it which rival in beauty the most admired pages of Pascal or Bossuet. Yet, as the reader proceeds (continues the critic) a strange uncomfortable feeling obtrudes itself on the mind. No peace, no satisfaction can be imparted by a system which has its rise in the dreadful thought of a double predestination, which divides men, irrespectively of personal merit or demerit, into the two classes of elect and reprobate, and pronounces both alike blind instruments for the glorification of the divine Majesty; which subjects the reason to the obedience of faith, disparages and even despises the aid afforded by the human understanding and philosophy; which announces the exclusive predominance of the letter of the Bible, and dogmatizes on the external manifestations of the life of the Church. Calvin's finest passages, too, are impaired by hateful invectives. He arrogates for himself a kind of infallibility, and dissentients from his opinion are dogs, hogs, and snakes, or, in his own emphatic Latin, "*canes impuri, angues tortuosi, furiosæ belluæ, porci, blaterones, nebulones, nugatores, ore rabido latrantes.*" There is a soul of goodness in things evil, as we are often told, and therefore, we suppose, in Calvinism; but there is no blasphemy against "the Divine Life" so horrible as that of the grim theologian of Geneva, and his great predecessor, the Bishop of Hippo.

Blaise Pascal recommends himself somewhat more to our sympathies.¹³ Believing that there is a Protestant Hierarchy which tends to degrade religion in the eyes of the multitude, as well as a Catholic Priesthood which it is a duty to oppose; believing also that the morality of the Jesuits is as bad now as ever it was, Dr. John Georg Dreydorf, pastor of the Reformed Church at Leipzig, has written the *Life of Pascal*, with an account of his polemic against the

¹³ "Pascal : sein Leben und seine Kämpfe." Von Dr. Joh. Georg Dreydorf, Pastor der Reformirten Kirche zu Leipzig. Leipzig. 1870.

illustrious but unpopular Society. The middle one of the three books into which our author divides his biographical criticism, is occupied almost entirely with the account of the controversy which Pascal sustained, and with a description of the Provincial Letters and other writings, attacking opponents or vindicating friends. In the first and third books the incidents of Pascal's life are related, some explanations of his views on miracles attempted. The work closes with a final survey of Jesuitism and Jansenism. Pascal died, after an illness of two months' duration, on the 19th August, 1662. He had little more than entered his thirty-ninth year when he died.

About twenty-seven years before the death of Pascal, was born in the village of Sommerda, near Erfurt, Jean Michel Wansleben, commonly called Vansleb.¹⁴ As tutor, soldier, merchant, and man of letters, he had a busy and laborious life. After studying awhile under the famous Oriental scholar Ludolf, he was despatched by him to London in order to superintend the publication of his *Ethiopian Dictionary*. He quarrelled and made it up with his learned master, visited Egypt, penetrated into Ethiopia, repaired to Rome, and became a convert to the Catholic faith. Afterwards we find him in France, under the patronage of Colbert, who sent him on a scientific mission to the East. His travels in Egypt and Asia Minor are detailed in a series of chapters by his biographer, and an examination of the charges of misappropriation of public funds brought against him, is instituted in the second part of this volume. From these charges his biographer absolves him, insisting that he practised a rigid and self-denying economy. Vansleb brought with him from the East in all five hundred Arabian, Turkish, and Persian manuscripts, the greater part of which were deposited in the Royal Library. The vindication of his character is followed by an account of his writings, and a correspondence consisting of eighteen letters, some of which were written by Vansleb himself, those from the East having been composed in the Italian language. Of these letters the latest is dated 1676, about three years before the death of the writer.

With our next book, Mrs. Oliphant's¹⁵ *Historical Sketches of the Reign of George II.*, we pass into the eighteenth century. Mrs. Oliphant's object in making these sketches has been to furnish us with a kind of history, representative of the times, helping us to conceive and interpret the age which she has selected for illustration (1727-1760), by means of portraits of select men and women, and her delineation of their social and political environment. Her picture gallery contains twelve sketches: the Queen, the Minister, the Man of the World, the Woman of Fashion, the Poet, the Young Chevalier, the Reformer, the Sailor, the Philosopher, the Novelist, the Sceptic, the Painter. The womanly tact, the political sagacity, the fine patience, and high devotion to duty, which marked the wife of the

¹⁴ "Vansleb; savant, orientaliste, et voyageur. Sa vie, sa disgrâce, ses œuvres." Par M. l'Abbé A. Pougeois, Curé de Bourron. Paris. 1869.

¹⁵ "Historical Sketches of the Reign of George II." By Mrs. Oliphant. In 2 vols. Edinburgh and London: William Blackwood & Sons. 1869.

Second George, are admirably brought out in Mrs. Oliphant's first sketch, which includes incidental notices of Lord Hervey, Lord Stair, and the ridiculous little Monarch himself, whose question, "Who do they say governs now?" was answered by the popular and impertinent muse of the day—

"You may strut, dapper George, but 'twill all be in vain,
We know 'tis Queen Caroline, not you, who reign."

During the life of this wise and tolerant woman, "the wicked little Monarch," says Mrs. Oliphant, "would take up one of his wife's candles, and show Lord Hervey the pictures of his Dutch delights, which with characteristic good taste he had had painted and hung in Caroline's sitting-room, dwelling upon the jovial interest which was the subject of each with mingled enthusiasm and regret." On her death-bed the same tragi-comedy went on; but the scene rose "to a terrible power, half-grotesque, almost half-comic, amid the tragedy. The only one calm and tearless amid her weeping friends, the dying woman turned to the King, counselling him to marry again as he sat sobbing by her bedside.

"Poor man! he was hysterical, too, with grief and excitement. Wiping his eyes, and sobbing between every word, with much ado he got out this answer. 'Non j'aurai des maitresses.' To which the queen made no other reply than, 'Ah, mon Dieu! cela n'empêche pas!'"

The rugged patriotism of the unambitious Walpole; the courtly worldliness and fond paternal devotion of Chesterfield; the courage, vivacity, and piquant charm of Lady Mary Wortley Montagu; the consummate art of Pope, "the perfect blossom of his school;" and the grace and gallant dashing of the Young Chevalier, are all reflected with picturesque distinctness in Mrs. Oliphant's literary mirror. In it, too, Wesley is portrayed as the Reformer; Anson, as the typical sailor of the time; Berkeley, as the philosopher; Hume, as the sceptic; Richardson, whose "Clarissa" is "the highest poetic creation of the age," as the novelist; and Hogarth, who unconsciously did the work of a prophet, but who is forever excluded from the highest heaven of art, as the painter. In these pleasant volumes Mrs. Oliphant has provided the reading public with excellent material for reflection, while seldom ceasing to amuse or interest. If she is sometimes a little too exuberant, she is in general a calm, discreet, impartial narrator, never fanatical or intolerant, though she has her celestial enthusiasms; always generous, kindly, and nobly appreciative, so that even of the dread sceptic, David Hume, she can write, "Never Christian fronted death more bravely, nor with a more peaceful calm."

Among those who, in 1763, welcomed with flattering words the incredulous secretary of the pious ambassador, Lord Hertford, to Paris, was Helvetius. Of Helvetius, who promulgated the doctrine that the supreme end of legislation was to render the happiness of individuals conducive to the happiness of society, Henri Beyle was an enthusiastic admirer. Henri Beyle, or Beyle-Stendhal, was a frank, amiable materialist, who consulted his own interest first, and afterwards the interests of society. Incapable, apparently, of any heroic devotion, he

held the sensible opinion : *on doit se prêter à autrui et ne se donner qu'à soi-même*. His biographer has attempted to set before us Stendhal's "Philosophy, Art, and Life,"¹⁶ and to give the reader some idea of the irony, the latent logic, the upright heart, and superior intellect of the author of *La Chartreuse* and *L'Amour*, an author whom he regards as the inspirer of Balzac and M. Taine. Marie-Henri Beyle was born at Grenoble the 23rd January, 1783. At the age of fourteen he was placed at the École Centrale, in that city, founded by the Convention, after the peace of Destrutt-Tracy. The introduction which he received at this institution prepared him for the École Polytechnique. In the year 1800, the young man entered the service of M. Pierre Daru, who had lately been appointed Secretary General of War. He accompanied the French forces in the Italian campaign, and in that of Russia. In 1813 we find him following the march of the *grande armée* in Germany. In the succeeding year he was employed by Napoleon at Grenoble. After this we find him again in Italy, and then in Paris. In 1831 he was nominated consul at Civita Vecchia. For the next ten years he passed his time in this city, or at Rome, employing himself in the correction of ancient manuscripts, or the composition of new. Once, in 1838, he appeared in London, where his witty sallies made him favourably known at the Athenæum. The state of his health compelled him to leave Italy, in order to avail himself of the medical advice of his physician at Geneva. He died at Paris, of apoplexy, on 23rd March, 1842. An ample account of his tastes, opinions, character, and philosophy, will be found in the volume of his friendly biographer. His tastes appear to have been those of an amiable and prudent epicurean; the Truth that he sought was relative; the basis of his morality was self-interest. As to religion—*il n'avait aucune foi religieuse : ce qui excuse Dieu, disait-il, c'est qu'il n'existe pas.*"

It is unnecessary to say more of the "True Story of Lord and Lady Byron,"¹⁷ than that it is one of those publications which the unhappy discussion initiated by the indiscretion of Mrs. Stowe has called into existence, and that it contains statements by Lord Macaulay, Moore, Leigh Hunt, Campbell, Lord Lindsay, and others, relating to the separation of the ill-assorted pair who have furnished such material for idle gossip and impotent conjecture. The little volume also contains the "Domestic Poems" and Byron's last letter to his sister, reprinted from E. J. Trelawny's "Recollections."

Mr. Alfred Austin writes a vindication of that "publican and sinner" whom Mrs. Stowe has tried to hold up to public execration. We consider it to be a temperate and judicious recital¹⁸ of the grounds for disbelieving the Stowe *Romance*: for Lady Byron's original disclosure has been republished by her Transatlantic confidante with such addi-

¹⁶ "L'Art et la Vie de Stendhal." Paris. 1868.

¹⁷ "The True Story of Lord and Lady Byron. In answer to Mrs. Beecher Stowe." London: John Camden Hotten.

¹⁸ "A Vindication of Lord Byron." By Alfred Austin. London: Chapman & Hall. 1869.

tions and improvements as reflect credit on the literary retailer for her mythopœic ingenuity. After such inquiry and study of the question as have been possible to us, we entirely disbelieve this particular imputation against Byron's character, and are convinced that the cause of separation now alleged was *not* the secret confided to Dr. Lushington in 1816. We have no doubt, however, that Lady Byron brought this charge of incest against her husband long before Mrs. Stowe became a recipient of her confidence. Some ghost of an idea, some suspicion, some hint, which seemed to derive confirmation from external circumstances, and the accumulating evidence which a train of incidents can be made to afford to an arbitrary but besieging preconception, grew into a strong delusion in a mind which Mr. William Howitt describes as "naturally honourable and conscientious, but subject to a constitutional idiosyncrasy which rendered her, when under its influence, absolutely and persistently unjust." The injustice in this case is a double injustice, for not only is Byron charged with a crime he never committed, but his sister, Mrs. Leigh, has her fair fame blackened by a fanatical credulity which almost deserves Lady Shelley's epithet of wicked. We honour Mr. Austin for defending the honour of Byron's sister, and for pleading in Byron's defence what may fairly be pleaded. That Byron had mischievous passions, perhaps an ancestral taint of blood which drove him into deplorable excesses, no one who knows his real history would deny; but Mrs. Stowe may be assured that Byron's countrymen will not forget one who, with all his errors, faults, and vices, holds a foremost rank among England's most illustrious sons. By his dream of a liberated Greece, though it were only a dream, and his effort to give it reality, Byron revived the traditions of the alliance between Art and Action. Of this devotion to the cause of freedom in Greece we have heard the historian Gervinus speak admiringly; and Landor, in recording it, has hazarded the prophecy, that Byron's "name will be read among the first and most glorious in the tablets of the Parthenon." As to his poetry, Mr. Austin may perhaps overestimate its value, as he assuredly assigns Byron a place that many would claim for Shelley, more still, perhaps, for Wordsworth. Byron is, however, unapproachable in his own peculiar region of song. What Goethe thought of his genius most of us know; and Shelley found in Byron's *last volume* "finer poetry than had appeared in England since the publication of 'Paradise Regained.'" "I despair," he says, "of rivalling Lord Byron; and there is no other with whom it is worth contending." The chance that Mrs. Stowe has of "crushing Byron" is not a good one, we conceive; but she can try it.

"The Legend of the Coronation Stone of Scotland" still finds us in the world of fable.¹⁹ Mr. William Skene has published a limited impression of a lecture containing an analysis of the legends connected with the Coronation Stone. The tale of its wanderings from Egypt to Scone, and of its various resting-places by the way, is closely inter-

¹⁹ "The Coronation Stone." By William F. Skene. Edinburgh: Edmonston & Douglas. 1869.

woven with a history as spurious, though not as exciting, as Mrs. Stowe's ingenious, but disagreeable myth. Modern criticism having demolished the forty kings of Hector Boece, it has occurred to Mr. Skene to inquire if any part of the legend is true; and the conclusion at which he has arrived is, that the legend of the Stone at Scone, like that of Tara—with which, however, it has not the slightest connexion—and the history of its wanderings, and those of its associated tribes, are nothing but myth and fable.

BELLES LETTRES.

THACKERAY somewhere tells a story of a novel being altered to suit the tastes of the public. All the commoners are converted into baronets, and all the baronets changed into peers. Something of this sort seems to have happened with some of the personages in "Only Herself."¹ The lords and ladies seem scarcely yet accustomed to their new positions. Everything, indeed, is as grand as any milliner's apprentice could desire. The blood is the bluest; the names and their handles are equally fine; the dresses are superb, and the fashions are the newest. All these things are very delightful; yet something more is required. We unfortunately demand good English and common sense. Let us, for instance, analyse the first chapter. Here we are introduced to a Mr. Elliot. Part of his time is employed in teaching candidates for clerkships at the War Office and Treasury. These young men, Mrs. Pender Cudlip considerably informs us, "were required to possess a certain amount of classical and mathematical and even linguistical knowledge" (pp. 1-2). We should like to know what Mrs. Cudlip imagines classical knowledge to be as distinguished from linguistical? Probably she takes it to be some sort of black-art. At all events, she would herself be better for some acquaintance with linguistical knowledge, for we notice that a little further on she cannot spell a common classical word. Amongst these candidates appears a Mr. Jocelyn, heir to an enormous property. We cannot help asking what a young man of this sort is doing in such company. Heirs to large property are not generally found seeking clerkships at the War Office. But, waiving this question, let us come to the main point. Mr. Elliot of course has a daughter, and the rich Mr. Jocelyn of course falls in love with her. The daughter must have been extraordinarily beautiful, for, according to Mrs. Cudlip, she had a "power of undulating about that is common alike to cats and young lissome girls" (vol. i. p. 7). Further, we may notice that there are more of these cat-like women in the story. The heroine herself, as Mrs. Cudlip tells us, is "gifted with that panther or cat-like lissomeness" (p. 23). The heroine, however, is possessed of another cat-like trait. She is able to

¹ "Only Herself." A Novel. By Annie Thomas (Mrs. Pender Cudlip). London: Chapman and Hall. 1869.

change the colour of her eyes. At page 28 we are told that she has "large dark grey eyes," whilst at page 90 she has "deep violet eyes." But the heroine is not the only person who possesses cat-like eyes. Of Mrs. Bruton we read that "the colour of the pupil of her eyes was difficult to determine, and no one had as yet successfully named the hue of the iris" (pp. 138-139). We will, however, return to the first cat-like woman. True to her feline instinct, she goes off in the night with her lover. The rest is soon told. Jocelyn's father will not sanction the marriage. The cat-like woman dies after giving birth to the heroine, who possesses the variegated eyes. Young Jocelyn marries an earl's daughter, and we are introduced to the lords and ladies. The rest of the novel, however, is in keeping with the first chapter. Mrs. Cudlip cannot describe the ordinary types of character, and of course fails more conspicuously when she attempts anything higher. Yet Mrs. Cudlip is the author of several novels, and is, we believe, a favourite with a large number of novel-readers. The explanation of the latter fact is not difficult. There are a great many idle people, especially women, who like to read about lords and ladies, however inane, and love to have their hair made stand on end with the doings, or supposed doings, of the British aristocracy.

We were much afraid, when we first began "The Garstangs of Garstang Grange,"² that it would turn out a failure. Most novelists are like the Myndians, who made their gates greater than their towns. Mr. T. A. Trollope reverses the proportion. His introductory chapters are the weakest, and give the reader no idea of the real power which is revealed in the course of the story, and is maintained without faltering to the very last page. We were afraid, too, of what other reflections might be in store for us when we met with such a sublime piece of writing, in the finest *Daily Telegraph* style, as "*Prudens futuri temporis exitum caliginosâ nocte premit Deus!*" How strewn with sadness would our daily path be if every time we crossed a threshold, never to recross it, the fact, hidden in the future, were known to us." But the author has the courage to avoid any more of these purple patches, and, instead of giving us Tupperisms, draws real characters. In their way we have lately read nothing better than the sketches of the firm of Slowcomb and Sligo, solicitors in Silchester. The temptation to burlesque in the case of Mr. Sligo must have been very great. A follower of Mr. Dickens would most assuredly have given us a gross caricature, where Mr. Trollope has finely shaded off the character. Mr. Slowcomb, although we do not see so much of him, with his old-fashioned watch chain and seals, hanging like a kitchen clock's pendulum, and his anecdotes about the county families and their secrets, is equally well sketched. But the real power of the book is shown in the skilful way in which the plot is gradually developed, and only brought to a climax in the last chapter. Plot-interest is excessively difficult to manage. The plot-interest of such writers as Mr. Wilkie

² "The Garstangs of Garstang Grange." By T. Adolphus Trollope, Author of "Marietta," "Lindisfarne Chase," &c. London: Smith, Elder, and Co. 1869.

Collins and Miss Braddon is not the plot-interest of true art, but of a kind akin to the low morbid curiosity which is excited by an Old Bailey trial. Mr. Trollope's plot is dependent upon the development and evolution of his characters. And this is art. Of course we do not mean to say that the "*Garstangs of Garstang Grange*" is a novel of the highest class. Mr. Trollope is deficient in many of the qualities which are required for a great novelist; but he has shown a true appreciation of some of the requirements for a successful novel. He has, too, laboriously cultivated the arts which produce success. Traces of study may be seen in every chapter. Indeed, we should be disposed to regard this as one of the chief defects of the novel. There is too much straining. To use a German phrase, the writer has not removed his scaffolding poles. If, however, any one wishes to read a tale with a well worked-out plot, the issue of which is not seen till the end, we can recommend to them "*The Garstangs of Garstang Grange*."

The *O. V. H.*² is a thorough hunting novel. At this moment, when, thanks to Mr. Freeman's courage, the morality of hunting is being called into question, the book is likely to attract, from its thorough-going style, some attention. This is of course not the place to discuss the question of the immorality of hunting. We will only say this, that Mr. Anthony Trollope's arguments would reduce us to the morality of cats and dogs, and would serve as an apology for any species of cruelty. No two writers can be more different, however, than the author of *O. V. H.* and Mr. Anthony Trollope. There is a thin amateurish tone about the latter, whenever he treats of horses and hounds, whilst Mr. Bradwood writes like a literary huntsman. From Mr. Trollope we learn everything about "the get up" and personal appearance of every member of the hunt, whilst from Mr. Bradwood we may gather some useful hints about horse-flesh. In fact *The O. V. H.* is not so much a novel of character, as one in which the "strain" of horses and hounds is discussed. Men and women play only a second part. It is the meet at Ashton Spinnies, the Croydon Cup, and the great Aintree event, which display the author's powers; one of the best sketches, however, is Mr. Joseph Brown, better known in the betting world as the "Elephant," from his gigantic size and speculations. The picture of him in his drab overcoat and broad-brimmed hat, with a profusion of loud jewellery overlaying his waistcoat, neckcloth, and dirty hands, bears all the appearance of a photograph taken from life. The conversation between him and Peter Mell the trainer, in the back parlour of the Greyhound publichouse at Croydon, is also of its kind excellent. But the whole of the Croydon scenes are done with infinite spirit. There is a little sketch of a Major Cochrane, and his friend Lord Sheffield, which shows that if the author would give himself the trouble he might become as good an artist in taking off social peculiarities as he now is in describing hunting and racing scenes. We must also extend our praise to the sketches of Oxford

² "*The O. V. H.* ; or, How Mr. Blake became an M. F. H." By Wat Bradwood. London : Chapman and Hall. 1869.

life, more especially to the description of the University race. The latter is described, as it should be, from the Oxford eight itself, and not, as in the newspapers, from the banks of the river or the paddle-box of a steamer. In the same way the author describes the racing scenes from the jockey's point of view, and not from the Grand Stand or the top of a drag.

Many persons imagine that they are actors because they possess a certain mimetic power. The same mistake is made by those who fancy they are novelists because they are able to represent certain minor peculiarities of speech or dialect. We need not say how little these particular powers go in each case to constitute either an actor or a novelist. Yet the mistake is the commonest. Mrs. Lorenzo Nunn⁴ seems to have fallen into it. Because she is able to take off certain broad peculiarities of the Irish brogue, she ventures with this slender stock of capital to set up as a novelist. Her story, if we understand its meaning, is somehow intended to pacify the Irish people and to solve the Irish land question. She might as well write a novel on *Essays and Reviews*, in the hope of reconciling Bishop Trower and his followers to the consecration of Dr. Temple. The story, however, has some merits. The female characters are the best done, and truest to life. The Irish brogue, too, is very happily hit off. Some of the conversations are spirited, but we hardly want discussions on Irish Tenant Right in a novel. Should Mrs. Nunn write another story we should most strongly advise her to leave out politics.

The influence of Mr. Dickens upon our younger novelists is still at times very perceptible. The author of the "*Pickwick Papers*" has had many imitators, from Albert Smith down to the writer of "*Verdant Green*." Had "*Brilliant Prospects*"⁵ been published five-and-twenty years ago, it would undoubtedly have been a success. The author has a quick eye for describing externals. He possesses a large fund of good spirits, and never allows an opportunity for joking to slip. These are no slight recommendations, especially with young readers. But Mr. Johnson must remember that the school to which he belongs is fast losing its hold upon the public mind. Other qualifications are now required. Boisterous fun has given way to analysis of character. Cultivation, such as is seen in the works of George Eliot, is demanded. Quiet humour replaces the loud jokes of thirty years ago. We say this, so that Mr. Johnson may understand why his novel will in all probability not meet with that success which he has some right to expect. He has often caught, more especially in his descriptions of the lower parts of London, the peculiarities of Mr. Dickens' style. The turn and balance of the sentences often reminds us of Mr. Dickens' art. The very names of the characters are formed upon the same model. In our opinion, however, the best parts are those where Mr. Johnson forsakes his master, and relies entirely upon his own

⁴ "*Heirs of the Soil*." By Mrs. Lorenzo N. Nunn. Dublin: Moffat and Co. 1869.

⁵ "*Brilliant Prospects*." By R. L. Johnson. London: G. Griffin and Co. 1869.

powers. Should he attempt another novel, we hope that he will do so to a still greater degree. The best things in his present venture are some of the detached stories.

On very different grounds "*Mabeldean, or Christianity Reversed*,"⁶ cannot expect to be popular. The writer is far too polemical for a novelist. He evidently knows the country and social life in the country. But some chapters in his novel read like so many pages of a controversial tract. Besides, there is an utter want of movement. Long descriptions follow one another, until our patience is thoroughly exhausted. Descriptions like these are always the refuge of a writer who possesses no dramatic power. The author, however, has a feeling for natural scenery, and one or two of his sketches of country scenes are pleasant. We should, however, advise him to throw his thoughts upon social and political matters into the form of an essay. In this shape they will have a far better chance of attracting readers than in a novel, and readers whose opinion would be better worth having than he can now possibly hope to find at circulating libraries. At present his views obstruct his story, whilst his story hampers the development of his views.

Space prevents us from doing more than recommending the *Hôtel du St. Jean*,⁷ and the translation of MM. Erckmann-Chatrian's well-known novel.⁸ Both are in their way excellent. For the present we put amongst works of fiction "*The Autobiography of Flora M'Donald*."⁹ But whether we regard the work as genuine history, or as a mere novel, it is equally unsatisfactory.

One novel, however, deserves a review to itself,—Turguenief's "*Liza*,"¹⁰ as it is called by its English translator. To Mr. Ralston we owe much for having introduced us to a novelist who is entirely unknown in England. Mr. Ralston's preface, in which he gives some account of the author, will be read with interest. M. Turguenief, we may briefly say, has been one of those men by whose help the emancipation of the serf in Russia has been brought about, and whose name at this moment, when there is a reaction in England in favour of slavery, ought to be especially honoured by all lovers of freedom. M. Turguenief thus comes before us not as an ordinary novelist, who has done nothing and knows nothing, but as a man who has played a noble part in the history of his country. It is the tone of "*Liza*" which gives it its especial value. The style, too, is characterized and heightened by a true and passionate love for music, poetry, and natural

⁶ "*Mabeldean ; or, Christianity Reversed. A Social, Political, and Theological Novel. Being the History of a Noble Family.*" By Owen Gower of Graybrook. London : Longmans, Green and Co. 1869.

⁷ "*The Hôtel du Petit St. Jean.*" A Gascon Story. London : Smith, Elder and Co. 1869.

⁸ "*The Blockade (Le Blocus).*" An Episode of the Fall of the First Empire. Translated from the French of MM. Erckmann-Chatrian. London : Smith, Elder, and Co. 1869.

⁹ "*The Autobiography of Flora M'Donald.*" Being the Home Life of a Heroine. Edited by her Grand-daughter. Edinburgh : William P. Nimmo. 1870.

¹⁰ "*Liza.*" By Ivan Turguenief. Translated from the Russian by W. R. S. Ralston. London : Chapman and Hall. 1869.

scenery. We are not quite sure whether we are to regard the beautiful lines at p. 31 (Vol. I.) as M. Turguenief's or not. At all events, even in the translation, they will bear comparison with Heine's kindred lines, which Mr. Ralston has subjoined. And whilst speaking of the poetry, we must express our gratitude to Mr. Ralston for his translation of Lermontof's poem "A Thought" (Vol. II. p. 63), which only want of space prevents us from quoting. The piece is quite as applicable to the youth of England as of Russia. To return, however, to "Liza:" its chief merits may be briefly indicated. The author has a happy way of individualizing his characters. Thus, we in a minute recognise Calliope Carlonna, who considered herself a woman of sentiment, because she had a weakness in one of her eyes. The satire reminds us of our own Addison. Thus there is a priest who in a breath talks of building churches and removing freckles. A general's propensity to stealing is described as "a quite unreasonable economy." The dandy Panshine is hit off as "the clever and unnecessarily elegant young man." Of the higher charms of the story, such as its pathos and descriptions of natural scenery, it is more difficult to convey an idea, as we have no room for quotations. As an instance of the first, we would point to the interview, in the fifth chapter of the first volume, between Liza and the poor music-master Lemm, as one of the most touching scenes we have met with in any recent novel. As for the sketches of natural scenery, they are profusely scattered throughout the story. But it is their connexion with, and effect upon, the actors, that reveals the artist's skill. The tale is very beautiful, but the conclusion is inexpressibly sad; the high-souled Lemm dies, his music forgotten, his genius wasted; Liza, gentle and good, who, if the author had but so willed it, might have made Lavretsky's life happy and blessed, wastes her life in a convent. The noble Lavretsky is never freed from his vicious wife. But we must not forget that the author was writing for Russians, and wished to instil a particular moral, which is only brought out by Lavretsky's life and occupations during the last years in which we see him.

There is a legend that the devil once attempted to create a man, but only succeeded in making a cat, and that was without a skin. St. Peter, however, came to his help, and clothed the cat with a hide. Our minor poets succeed in making poetry about as well as the devil did in making a man. Their creations, too, are about as poetical as his cat. Hotspur compared ballad-mongers to kittens. But since Shakspeare's day they have grown to cats. Our publishers, too, play the part of St. Peter, and clothe them out in their skins. The latest specimen is before us, covered in bright green with alternate stripes of black and yellow.²¹ To drop metaphor, Mr. Hornor's is the most caterwauling specimen of poetry which we have seen for a long time. Here is an extract from one of his "Humorous Pieces," entitled "Doing the Rhine:"—

²¹ "Rhyme and Reason." By S. Stockton Hornor. London: Longmans, Green, and Co.

' This doing of the Rhine
Is all very fine,
If the sun should chance to shine,
And you're furnished with good wine;
But should the cold winds blow,
With showers or with snow,
And you're driven down below,
Like cattle or like swine;
The doing of the Rhine
Is not so very fine,
Looking at the ruins
Surrounded by the vine." (p. 99.)

Now, as this is Mr. Horner's conception of humorous poetry, we ask our readers to imagine what his serious pieces must be like.

Mr. Bell's "Lays of Love and Life"¹² are of the usual stamp. Here are, of course, lines to "Ellen," "On a Robin," "On a Child Asleep," "On a Child Dead," and, by way of variety, a poem on a Strand prostitute. As we have given Mr. Horner's conception of humorous poetry, we may as well add Mr. Bell's:—

" I met a lady yesterday,—
The sun, too, saw her, and turn'd away,
And o'er his face he drew a cloud,
I fear'd it would have been his shroud,—
She wore a young gent's coat and vest—
I will not swear it was his best—
But I declare she look'd so funny,
I thought 'twas Punch a begging money!" (p. 180.)

All that we can say is "Qui Bavium non odit, amet tua carmina, Mævi."

A Country Parson¹³ is, perhaps, still more original in his conceptions of poetry. Of his pieces, "The Night at the Lakes" is our favourite. Take, for instance, the following stanza:—

" Sweet to wander by the hills,
And amid the sunny stills
Listen to the piping rills." (p. 112.)

Here we think the poet has rather sacrificed sense to sound, for we have not the slightest notion what "stills" are, except that it is a word which admirably rhymes with "rills" and "hills," and makes a sweet jingle. Let us, however, take another stanza:—

" Then my brother, let us up,
Let us with the evil cope,
Let us cheer ourselves with hope." (p. 108.)

In this case we think the poet has rather sacrificed sound to sense, for though "up" makes a most admirable meaning, yet it makes a very bad rhyme with "cope" and "hope." Once more let us try another stanza:—

¹² "Lays of Love and Life." A Book of Original Poems. By T. P. Bell. London: Provost and Co.

¹³ "Concerning Earthly Love," &c. By a Country Parson. Dublin: Moffat and Co. 1869.

"Glancing up the rugged slope
From Life's vale, the eye of Hope
Sweeps the distant mountain top." (p. 107.)

This time we think that the poet has sacrificed both sense and sound without receiving any compensation. "Top" certainly does not, to our ears, rhyme with "slope" and "hope," and if it did, we cannot conceive how any eye, even with the aid of a telescope, could "sweep" it from a valley. The poet's difficulty in both these last stanzas has evidently been to find two consecutive rhymes to "hope." We will endeavour to help him. Let him be content to make the eye of Hope only look up the "rugged slope," and that will be quite far enough. The last stanza will then read—

"Glancing up the rugged slope
From Life's vale, the eye of Hope
Sweeps it with her telescope."

This gives both rhyme and reason, neither of which we could find in the original.

Poems by Mr. Wraxal Hall¹⁴ are of a very different order. In them we find at times a love for the country, not unmusically expressed, and a tone of high feeling. We see indications, too, which give promise of something far better. But Mr. Hall has very much to learn, both as to taste and the mere machinery of his art—how much may best be seen by our analysing a stanza from a piece called the "Bees." Here is the commencement :—

"Hark the bees are all awaking !
And their tumbled wings are shaking ;
Springs puts on her new green cover,
Spread with buttercups and clover,
Daffodils and cuckoo-wake,
What a breakfast they will make." (p. 70.)

There is evidently a real feeling of poetry at the bottom of all this, but it is, to our thinking, greatly marred by Mr. Hall's uncouth expressions and metaphors. It may or may not be true that the bees' wings are tumbled by their winter's sleep, but the image is awkward. Beauty, and not mere barren Pre-Raphaelitism, is the aim of poetry. The expression, however, is not quite so bad as "I looked where soft leaves were unwrinkling," which occurs a few pages further on, and which is a metaphor of the same class. In the third line, "new green cover" reminds us too much of baize, and even its usefulness, when the bees are about to breakfast, does not reconcile us to the image. In the fourth line we may remark that clover must be pronounced clōvver. In the fifth line "cuckoo-wake" is a word with which we are unacquainted, and cannot find it in any dictionary which we have examined. It may, of course, be in existence, but Mr. Hall should carefully remember the maxim, "*Verbum insolitum tanquam scopulum vitare.*" But whether it is in use or whether it is a word of Mr. Hall's own coinage, it contains a double-dyed error. If Mr. Hall means to

¹⁴ "Poems by Wraxal Hall." London : Chapman and Hall. 1869.

say that the arum, in a metaphorical sense, awakes or arouses the cuckoo, he is, of course, under a mistake, as the cuckoo is a bird of passage. The term wake-robin for the arum is common enough, and the coiner of the word "cuckoo-wake," like most other people, has utterly mistaken its meaning. The words "cuckoo" and "robin" have nothing whatever to do with the birds. "Cuckoo-wake" is an unmeaning piece of tautology. We cannot in a popular review discuss the full meaning of "wake-robin" and the other names, but Mr. Hall will find the whole subject fully gone into in Dr. Prior's admirable work "On the names of British Plants." To turn back, however, to Mr. Hall's poetry, we find it constantly marred by these slipshod expressions and faults of taste. To go no further than this very piece of the "Bees," he tells Autumn to

"Light thy yellow moon divine,
Trim the stars and make them shine;"

as if the stars were patent oil-lamps. Again, in the lines,

"Knapweed, woad, and scabious gray,
Poppies brighter than the day;"

on what ground does Mr. Hall make the scabious gray, except for the convenience of obtaining a rhyme with day? Once more, in the same piece he bids Autumn

"Spread thy heath and gorse of gold,
And thy hare-bells manifold."

Now it is quite true that one species of furze (*Ulex nanus*) does blossom in the autumn, but the popular mind always associates the furze (*Ulex Europæus*) with the spring, and it is for the public at large, and not for botanists, that the poet writes. Yet this error is more valuable than the frigid propriety of an average poet, as it proves that Mr. Hall is a close observer. There are few sights more beautiful than a common covered in autumn with the mixed blossoms of the heaths and the dwarf-furze, but it is a sight, which is not often seen in many parts of England. We have been, perhaps, rather minute in our criticisms, but we have purposely been so, because we see, or fancy we see, some signs of promise in Mr. Hall's poems. We have already spoken of their excellent tone. But, like most enthusiasts, Mr. Hall is apt to run riot. It is really unkind of him to publish such lines to Mill as—

"And pigmy souls stare at thee,
Lifting their hands and eyes,
And call thee wicked monster!
Because thou'rt such a size!" (p. 77.)

The last line, we must inform our readers, does not refer to Mr. Mill's personal appearance, but to his views. We trust that we shall see no more trash of this kind in any future volume of Mr. Hall's.

Professor Blackie's *Musa Burschicæ*,¹⁵ with the lines on the title-page—

¹⁵ "*Musa Burschicæ*." A Book of Songs. For Students and University Men. By John Stuart Blackie, Professor of Greek. Edinburgh: Edmonston and Douglas. 1869.

"Wo man singt, da lass Dich ruhig nieder,
Böse Menschen haben keine Lieder,"

tells its own tale. We should have imagined, however, considering the subject, that the Professor of a Scotch University might more appropriately have taken for his motto—

"Wo man raucht, da kannst Du ruhig harren,
Böse Menschen haben nie Cigarren."

But we find nothing, or very little, about either smoking or drinking in these Scotch Studentenlieder. As has been remarked of Shakspeare, Professor Blackie does not mention tobacco; neither has the Professor the spirit of Walter de Mapes in him. There is nothing of the *Mihi est propositum* style.

"Dulce cum sodalibus
Sapit vinum bonum"

may be true for the German students on the banks of the Rhine and the Neckar, but Alma Mater at Edinburgh tells her disciples, through the muse of Blackie—

"Osculari virgines
Dulcius est donum."

At all events, the flirting and the wooing and the kissing in Professor Blackie's songs are out of all proportion. The great Scotch Platonist has suddenly turned himself into a Highland Anacreon. If there is any meaning to be attached to the song entitled "*My Loves*" (p. 104), it is that the Professor holds the Byronic creed, and wishes that all the women in the world had only one mouth, that he might kiss them all at once. We suppose, however, that all such passages are merely Platonic, and that they, as well as the denunciations against study, are to be taken in the same high transcendental sense as certain passages in the Republic. Indeed, the Professor hints at something of this sort in his preface. If we comprehend him rightly, some of the sentiments are only to be held for the precise time we are singing the song. If the Professor means nothing more than that "all work and no play makes Jack a dull boy," we heartily welcome his gracious fooling; yet he now and then goes out of his way, and displays a spirit very much at variance with "that large toleration for everything human" which he preaches in his preface. The book is sure to be popular, not only in Scotland, but everywhere where a love for the country and its delights is felt. We most sincerely trust that when the second edition is called for, the learned author will take the opportunity of either striking out or modifying the fifth stanza of the "*Quaker's Wife*." Such a gross attack will not indeed hurt any member of the Society of Friends, but will seriously damage the Professor's own reputation, and prove how little he understands the meaning and worth of spiritualism.

The author of the "*Volsung Tale*"¹⁶ has sat at the feet of Mr. Ten-

¹⁶ "*The Volsung Tale*;" being the Tragical History of Sigurd and Brynhilda, newly set forth in English Verse. By F. Scarlet Potter. London; James Martin. 1868.

nyson, and has imbibed no little both of the Laureate's spirit and manner. Take for instance such lines as the following, and there are plenty more of the same cast:—

“There the king,
Sigismund, my father, sleeps—not unavenged—
Beneath his barrow on the gusty down;
Far seen across the sea-paths, which he loved,
A beacon to the steersman” (p. 34).

Now this is thoroughly Tennysonian as far as the mould of the lines and rhythm go. The “gusty down” is simply a reproduction of Tennyson's “windy hill,” “windy” being, we may remark, a favourite epithet of his. But the question of course arises, what is the use of this imitation, however excellent? People who cannot afford silver, buy, it is true, electro-plate; but nobody, however poor, because they cannot afford to purchase Tennyson, would buy Potter.

We do not pretend to have read Raymond Lully's “Great Elixir”¹⁷ all through, and we are much afraid that nobody else will. The writer possesses a considerable flow of vituperative language, but he really should not plagiarize from Lord Shaftesbury in such a bare-faced way—

“A book. What knowest thou of this? A book
Whereto can I no juster titling give
Than vomit of the jaws of hell” (p. 27).

Is it, however, possible that Lord Shaftesbury has been writing a poem, and put his famous description of *Ecce Homo* into blank verse?

Mr. J. J. Britton's book¹⁸ is a very fair sample of minor poetry. His images are at times a little ambitious. It is a mistake to personify summer as lying down—

“And the harvest sprites are flitting and flying,
Fanning his brows with the golden grain,” (p. 46.)

as it is impossible to fan anybody's brows with grain. We think, too, that it is hardly poetical to talk of “the clouds skurrying past,” although we readily admit the expressiveness of the term. Again, according to the ordinary pronunciation, “nectarine” does not rhyme to “wine,” as it does at p. 87, and we never remember to have previously met with the epithet “rebelly” (p. 83). But these are minor blemishes, which do not interfere with the general vivacity of the poems.

It is a relief to turn from modern to ancient poets. No two better editors could be found for Spenser¹⁹ than Mr. Morris and Mr. Hales. And they have given us an edition worthy of the poet. Each, too,

¹⁷ Raymond Lully's “Great Elixir,” a Dramatic Poem. London: Basil Montague Pickering. 1869.

¹⁸ “Carrella, a Love Tale in Verse, to which is added Alice Moore, a Christmas Story, and other Poems.” By J. J. Britton. London: Provost and Co. 1870.

¹⁹ “The Globe Edition. Complete Works of Edmund Spenser, edited from the Original Editions and Manuscripts by R. Morris, with a Memoir by J. W. Hales, M.A.” London: Macmillan and Co. 1869.

has done his work thoroughly. To Mr. Morris, however, the weightiest share has fallen. Mr. Hales' life of the poet is admirable, whether we regard the style, the spirit, or the literary criticisms. His protest against Gabriel Harvey's attempt to force upon the English language a metrical system which is utterly alien, is at this moment especially needed. We cannot also be too thankful to Mr. Hales, more especially after the recent triumphs of Carlylism and Muscular Christianity at Cambridge, for his condemnation of Spenser's Irish policy. His strictures upon Spenser's "View of the Present State of Ireland" are as just as they are severe. If, however, Mr. Hales can clearly see Spenser's weakness—a weakness which seems often inseparable from the poetic character and temperament, he at all events does full justice to that inner spiritual beauty which is the charm of Spenser's poetry. Of Mr. Morris's labours upon the text we do not feel competent to speak. No one, unless they have made a study of Spenser's text, has any right to do so. The glossary is excellent. Mr. Morris, however, seems to be in some doubt as to the meaning of "hider" and "shidder" in the lines—

"For had his wcsand bene a little widdier,
He would have devoured both hider and shidder."

The Shepherd's Calendar.

In the Glossary Mr. Morris says, "Hider (if not an error for *hider*, hither), he-deer, animals of the male kind." "Shidder (generally explained as *she*), but if not a corruption of *thider* (thither) must mean *she-deer*, she animals." Now, we may remark that "heder" and "sheder" are at this very day common terms in Lincolnshire and Nottinghamshire for male and female animals, whether "beasts," or, as in the text, sheep. Mr. Brogden, in his "Provincial Words Current in Lincolnshire," very correctly says:—"Heder. Masculine, a male lamb. *Ex.* I bought them for the greater part heders, and they were half sheders." And again, he writes, "Sheeder, a female animal, but particularly applied to ewes." We think the provincialism fully and clearly explains the text. We have only to add that this edition is not only the best, but the only one, both for the student and the general reader.

We are glad to see so many glossaries. The glossarist especially requires our encouragement. He can hope for no profit, and but little fame. He plods on for years, *idem saxum volvens*, to find his labours not merely unrequited, but often unnoticed. Mr. Knight Jennings²⁰ especially deserves our thanks for giving us a new edition of his relative's Glossary of the Somersetshire Dialect. The old edition had become scarce, and could only be bought at three or four times its original price. Mr. Knight Jennings has materially added to the collection. Still, as a glossary of Somersetshire words, it is very far from complete. We miss, for instance, such an expressive word as

²⁰ "The Dialects of the West of England, particularly Somersetshire, with a Glossary of Words now in use there; also with Poems and other Pieces exemplifying the Dialect." By James Jennings. Second Edition. The whole revised, corrected, and enlarged by James Knight Jennings, M.A. London: John Russell Smith. 1869.

"gusan-chick," "the gull" of North Hampshire and Warwickshire, the "gibb" of Lincolnshire and Nottinghamshire, and the "gezling" of the northern counties. But we can hardly blame Mr. Jennings, as he makes no pretensions to have exhausted the subject, and is thoroughly conscious of the shortcomings of the work. In answer to his appeal for information and suggestions, we should advise him in a third edition to incorporate all the local Somersetshire names of birds, which are given in his relative's work on "*Ornithologia*," published four years after the "*Glossary*." Such words as "dunnoek," "nope," "stone-smich," &c, ought all to find a place. Again, too, Mr. Jennings will meet with many curious words and phrases in Mr. Halliwell's "*Collection of Pieces in the Dialect of Zimmerset*," but of which, unfortunately, like so many more of Mr. Halliwell's publications, only fifty copies were printed. Further, there was a most amusing sketch published some years ago in the Somersetshire dialect of scenes in a farmhouse. Our own copy, the only one which we ever saw, has unfortunately either been mislaid or lost, and we can only give this vague reference. Lastly, we would advise Mr. Jennings to make earnest search for the "*Dialect of Sedgemoor*" mentioned by Forby. The recovery of this lost glossary, if it ever existed, would be a precious boon. We are, however, inclined to think that Forby confused the two Exmoor Dialogues with two dialects. And we are somewhat confirmed in this view by the fact that Forby says that Grose alludes to the book, whereas Grose only mentions the Exmoor dialect. Mr. Jennings, however, living in the district, will have a better opportunity than any one else of obtaining information on the subject. Sir Walter Scott gave half a crown for the word "whommle." What would he not have given for the recovery of a lost glossary of words?

We should have been better pleased with Mr. J. P. Morris's "*Glossary of the Furness Dialect*"²¹ had it given us more words. We are no believers in the theory that the English labourer's vocabulary is limited to five hundred words. We believe that there are few counties in England where two thousand provincialisms may not be collected within a radius of twenty miles. In some of the northern shires double that number may be collected in the same area. We perceive from an advertisement at the end of Mr. Morris's book that Mr. Gilpin is about to bring out a new edition of the "*Songs and Ballads of Cumberland*." We trust he will take the advice which we gave him on its first appearance, and enlarge the glossary. In a few years it will be impossible to do so. As schools increase and education spreads, the old words are sure to give way to the new. Our complaint against Mr. Morris is, that he has not made the most of his opportunity. Had he gone on patiently collecting for three or four more years, his glossary would have acquired a far greater value. Nor do we see the use of giving extracts from well-known works, like Mr.

²¹ "*A Glossary of the Words and Phrases of Furness (North Lancashire), with Illustrative Quotations, principally from the old Northern Writers.*" By J. P. Morris, F.A.S.L. London: John Russell Smith. Carlisle: George Coward. 1869.

Way's edition of the "*Promptorium Parvulorum*." Every scholar has or ought to have it at his elbow. Thus, under "erchin" (a hedgehog), Mr. Morris gives us a long note from Way. Now everything that Mr. Way says is of great value, but it is a waste of space to reprint his words in a glossary of this kind. Had Mr. Morris anything of his own to have said, we should have been glad of it. Had he given us some more of the various forms of the word in some of our earlier works on heraldry and natural history, and in our older dictionaries—given us some of the synonyms by which "the pilhog" was known, or even Lye's woodcut in which he seems to have confounded "the hedgepig" with the porcupine, we should only have been too thankful. So, too, under "heeð-wark," instead of again quoting Mr. Way, we think it would have been more to the point if Mr. Morris had illustrated the word by a reference to the good old north country word "belly-wark" (stomach-ache), which we do not find in his pages, although it must, we cannot help thinking, be known in the district. It must not be understood that we are in any way condemning Mr. Morris's work; on the contrary, we are thoroughly pleased with the creditable way in which he has performed his task. We are simply pointing out how, in our opinion, his work might have been vastly improved. He does really good service when, under "beetlin-steaàn" he commemorates the names of a certain boulder. Apparently the fact is unimportant. But as time goes by, and the process of "beetling" clothes is forgotten, the antiquarian and philologist will gratefully turn to Mr. Morris's pages for an explanation. We must remember that it is the mere name of a street in Stratford-upon-Avon which helps to explain one of the most difficult passages in Shakspeare. We had marked a number of other words, the explanation of which struck us as being good and to the point, but space unfortunately fails us. We must, therefore briefly commend the "*Furness Glossary*" to all students of our dialects, not, however, without a word of praise to the enterprising local publisher by whom it is so tastefully brought out.

The late Mr. Peacock's "*Glossary of the Hundred of Lonsdale*"²² appears under the auspices of the Philological Society, which has done so much of late years to stimulate researches into our provincial dialects. The circumstances under which it appears are peculiar. The author unfortunately died before he had completed the work. Mr. Furnival undertook the editorship, but was prevented by other duties from carrying out his intentions. Mr. Hensleigh Wedgwood succeeded him in the task. Lastly, the Rev. J. C. Atkinson completed the labour, the arduousness of which few people, unless they have gone through the drudgery, understand:—

"Lexica contexit! nam cætera quid moror? omnes
Pœnarum facies hic labor unus habet."

²² "A Glossary of the Dialect of the Hundred of Lonsdale, North and South of the Sands, in the County of Lancaster." By the late Robert Backhouse Peacock. Edited by the Rev. J. C. Atkinson. Published for the Philological Society. London: Asher and Co. 1869.

The work goes over much more ground than Mr. J. P. Morris's, and contains more than four thousand words. But even in this large collection we miss several which, we think, must be known in the district—"bellit," a noisy person; "bunting," a lazy woman; "dunnet," an idle person, as in the Cumberland saying, "there's many a handsome dunnet;" "gleer," to grin; "kittle-worm," a mischief-maker; "laggon," a mouth; "th'art smeared twin lug and laggon," as we once heard a man who lived not far north of the district say. To these we might add many more. The truth is that the words in the north of England are far from being all collected. The present glossary, however, like Mr. Atkinson's "Cleveland Glossary," will do much to extend our knowledge, and we can but deeply regret that the author should have been so prematurely cut off, when his labours were beginning to bring forth such valuable results.

"Notes on Un-Natural History"²³ is one of those little books on great subjects which are so irritating. It is precisely the book which should be written, and it is written by precisely the wrong person. The author appears to be an amiable man without any critical power, who has read a good deal on the subject, and then pitched his common-place book to the public. The work, in short, is made up of odds and ends, interspersed with small jokes. To the student it is utterly useless. Yet the general reader—that is to say, the subscribers to Mudie's and village libraries—may pick up in its pages a good deal of information. Such subjects as St. Cuthbert's Beads, the Man in the Moon who stole sticks on a Sunday, Elf-bolts, Troll's Stones, Fairy Rings, and Cornish Rocks, are all discussed, if not with much novelty, at least in a light gossiping way, and that is, after all, what such a reader demands. Yet this gossiping way is precisely the way in which they should not be treated. The history of these things is really the history of human civilization. They should be treated from the strictly scientific point of view. No one but some Buckle or Grote is fit to deal with them. When we open the pages of an Elizabethan writer, nothing is so striking as the ignorance displayed about all natural phenomena. Bernacle geese were thought to be the fruit of some tree in the north, and the Nostoc commune fell as star-jelly from heaven. Gesner is full of such marvels, and Gesner was the natural history text-book of the age. Ben Jonson studied him, for there is a copy of the "Historia Animalium" in existence with his autograph. But to treat the subject as the history of the progress of the human mind never seems to have entered the author's head. Whether it did or not is of no great consequence, for he was plainly unequal to the performance of the task. What can be expected of a man who writes about *domum nefandum* (*sic*, p. 113), and talks of *Scabisa succosia* (*sic*, p. 66)? It is, however, a book, as we have said, suitable for village libraries, and young people, who may find much amusement and some instruction in its pages.

²³ "Notes on Un-Natural History; being a Selection of Fictions accounting for Facts." By the Author of "Notes on the Months." London: Ward, Lock, and Tyler. 1868.

The "Literature and Curiosities of Dreams"²⁴ is another book which may also be recommended to village libraries. The compiler quotes from an immense number of authors, but curiously enough omits all notice of Tryon, whose "Treatise on Dreams and Visions" [1695], was once so popular. The reader will, however, find a great mass of information on the subject, but much of it appears to have very little practical value.

Amongst books for boys we may briefly commend "The Boy's Home Book."²⁵ We imagined, however, that boys learnt games intuitively, without the interposition of books. "The Way to Win"²⁶ is apparently one of those exciting tales which, when boys are not playing, they like to be reading. Still better, however, in our opinion, as a present for a boy, is the Robin Hood Ballads,²⁷ printed on good paper and in legible type. We would, however, have gladly dispensed with Mr. Gilbert's vulgar stagy illustrations. As was once said of another artist's drawings, Nobody will ever worship them, for they are like nothing "that is in heaven above, or in the earth beneath, or in the water under the earth."

From St. Petersburg we have Herr Masson's collection of proverbs of various nations.²⁸ The arrangement is by far the best which we have seen. It is worked out, too, with characteristic thoroughness. Herr Masson will, however, learn much, as far as English proverbs are concerned, from Mr. Hazlitt's recently-published work. We may also mention for his benefit that there was a very curious collection of Turkish Proverbs, with an English translation, published at Venice ("at the Armenian Monastery of S. Lazarus," says the imprint) in 1844. As may be expected, Herr Masson is strongest in the German proverbs. We are, however, surprised to find none of those quaint local German proverbs which are often to be heard in the villages on the Rhine. Streg, Bacharach, Caub, would all furnish good examples.

Dr. S. Nagel's Etymological Dictionary²⁹ is a most valuable work, to which we cannot, unfortunately, devote the space it deserves. We have, however, carefully tested the English portion, and have found it surprisingly full and accurate. We notice, however, that he omits

²⁴ "The Literature and Curiosities of Dreams. A Commonplace Book of Speculations concerning the Mystery of Dreams and Visions, Records of Curious and well-authenticated Dreams." By Frank Seafeld, M.A. London: Lockwood and Co. 1869.

²⁵ "The Boy's Home Book of Sports, Games, and Pursuits." London: Lockwood and Co. 1870.

²⁶ "The Way to Win: a Story of Adventure Afloat and Ashore." By Charles A. Beach. London: Lockwood and Co. 1869.

²⁷ "The Book of Brave Old Ballads." Illustrated with Sixteen Coloured Engravings from Drawings by John Gilbert. London: Ward, Lock, and Tyler. 1870.

²⁸ "Die Weisheit des Volks. Einiges aus den Sprichwörterschatz der Deutschen, Russen, Franzosen und anderer stammverwandten Nationen, gesammelt und nach der Analogie gruppirt von Moritz Masson." St. Petersburg: J. Glasunoff, Wolf, Issakoff. 1869.

²⁹ "Französisch-Englisches Etymologisches Wörterbuch innerhalb des Lateinischen." Von Dr. S. Nagel, Oberlehrer an der Realschule I. O. in Mülheim an der Ruhr. Berlin: S. Calvary and Co. 1869.

"foison," which Wedgwood derives, through the French, from the Latin *fusio*. Again, too, we cannot find "jet," to strut, used by Shakspeare—"Contemplation makes a rare turkey-cock of him; how he jets under his advanced plumes." (*Twelfth Night*, act ii. sc. 5), which Wedgwood refers to the Latin *jactare*. To this might be added one or two more omissions. On the other hand, we think that Dr. Nagel is hardly right in referring "forest" to *foras* or *foris*. His book, however, is a real addition to our etymological dictionaries, and we can strongly recommend it to all students.

We have to acknowledge the third edition of Scherr's well-known work.³⁰ English literature is brought down to the present period, and the judgments on contemporary writers, though necessarily brief, are just and discriminating.

ART.

ONE of the most important of recent contributions to the literature of art is the second greatly-enlarged and improved edition of Herr Overbeck's "History of Greek Sculpture,"¹ of which the first volume is now in our hands. It is not saying too much of this book to say that it promises, and indeed so far as it extends already *is*, the most sensible, accurate, and complete book that has been written on the subject with which it deals. Since his first edition Herr Overbeck has undertaken, he informs us, many journeys for the sake of personal inspection of monuments previously known to him only by casts, drawings, or descriptions; and he has also, with the exhaustive industry of his nation, kept himself sedulously acquainted with all the latest results of research, in the shape of new discoveries, new theories, monographs, treatises, suggestions, information from far and wide. The notes appended to the several divisions of his work teem with the evidences of unwearied exploration and determined thoroughness. And similar testimony is borne with involuntary force by a passage like this from the author's preface:—

"In the body of my book itself I have explained my position with reference to the choice I have made of monuments for its illustration. I hope that I have overlooked none of really decisive importance. Only the archaic relief from Larissa in Thessaly, published by Heszé, under the somewhat amazing title 'L'Exaltation de la Fleur,' in the 'Journal des Savants' for July, 1868—this work, of which the proper explanation has still certainly to be discovered, unluckily became known to me too late to be introduced in its proper place as an important monument of the art of northern Greece. Considering the active zeal which happily now prevails in the province of ancient art-history, and brings forth every day new discoveries and new theories, this will probably

³⁰ "Allgemeine Geschichte der Literatur." Ein Handbuch in zwei Bänden. Von Johannes Scherr. Dritte, neu bearbeitete und stark vermehrte Auflage. Stuttgart. Carl Conradi. 1869.

¹ "Geschichte der Griechischen Plastik." Von J. Overbeck. Zweite Auflage, Erster Band. Leipzig: Hinrichs. 1869.

come quickly to be not my only sin of omission. But after all, one must get done with a book some time or another. And precisely as Kekulé's little treatise upon the balustrade of the temple of Nike Apteros, and Conze's 'Contributions to the History of Greek Sculpture,' a book in many ways most suggestive, if not seldom provoking dissent and contradiction; precisely as I was only able to use these while my work was actually in the press, and was absolutely not able to wait for the much-promising publication of the 'Frieze of the Parthenon,' by Michaelis; so in a little while, more and more light may probably be thrown by more and more monographs of this kind upon this or that special department of history. Therefore it can at most be hoped that the outlines of the whole structure will prove themselves sound. Concerning some few points there has quite recently arisen an uncertainty which may be expected to lead very soon to new views better founded than the last; as for example, concerning the question of the Doryphoros of Polykleitos, and concerning the nearly allied question of the Ephesian Amazon figures. Concerning other points, where new views have been pronounced, I have not said my last word upon them; for instance, with regard to the rearrangement desired by Friedrichs and Brunn in the western pediment-group of Ægina, I confess that now that I have looked into the rearranged group as published by Brunn, I have become more doubtful again than I was when I wrote what stands in the text. Under these circumstances I have felt it my duty to set before the reader, in fig. 15, both schemes of the group, the new scheme in exact accordance with Brunn's plate, in order to give every reader a chance of judging for himself."

That will serve for a sample of what we have called the determined thoroughness of the present writer. But with all this—with all his mastery of the literary *fontes*, ancient and modern, of his subject, Herr Overbeck does not charge his pages, after the manner of some writers, with critical disputations and arguments. When he comes across a vexed question he makes up his mind about it first, and gives us his results afterwards in a plain, sensible form, in which caution and confidence both have part. He is no great theorist on the philosophies of art-history or the spiritual meaning of works of art: but he narrates clearly, learnedly, and with reasonable vividness the historical progress, so far as it can be scientifically ascertained, of the sculptor's art in Greece. Some interesting questions as to which we could have desired a full discussion, Herr Overbeck allows himself almost to ignore, particularly the still-vexed question of the chromatic decoration of Greek sculpture. On other technical points he is as complete as could be desired, as on the processes and style of chryselephantine statuary: following in his account of this, however, the footsteps of Quatremère de Quincy, an archæologist who, whatever his zeal and merits, possessed the true artistic sense, the sympathetic *goût des anciens*, less perhaps than any other commentator of art has possessed it. To pursue or criticise in any detail the progress of a history like the present, of which the deserts depend upon industry in collecting, and tact in comparing and discriminating the conflicting views of authorities, is a task plainly demanding both more space and more special knowledge than we have here at disposal. Suffice it then to assure the reader, that if he desires so make himself acquainted with the best that can at present be known of the development of the sculptor's art in Greece, from its dark beginnings in the hands of

pre-Hellenic tribes down to its glorious apogee in the hands of Pheidias and his followers, he will find in the present volume a work of moderate compass, sensible style, sound and exhaustive (perhaps a little painful) erudition, which will supply him better than any other which we know with the means of satisfying that desire. Herr Overbeck's work is divided into three books, and ends with the disciples of Polykleitos in Argos and of Pheidias in Attica. Another volume will carry it down through the Decadence, presumably ending with the Hadrianic revival. We should add that the woodcut illustrations here given comprise nearly all the most significant monuments that have come down to us; and that they, with a very few exceptions, hold to the golden mean between the two extremes of woodcutting, the extreme of slovenliness that stops too short in the rendering of its original, and the extreme of elaboration that goes too far and tries to render more than woodcutting is able to render.

The revised second edition of the valuable "Cicerone" of Jacob Burckhardt, the distinguished historian of the Renaissance, has reached its second part.² The volume on sculpture now before us has the same completeness, the same somewhat dull excellence, as the volume on architecture that preceded it. The object of the work makes its division according to the chronological method, perhaps one of rather doubtful judiciousness. Its object is to provide the traveller with an accurate, trustworthy, really learned and nearly exhaustive guide-book for the works of art now actually to be found on Italian soil. This seems certainly to point towards a local rather than a chronological division of its contents; and in not adopting, or adopting only very partially, the principle of local division, the compilers of the Cicerone have run the risk of producing something which confuses the character of history with the character of guide-book. We talk of its compilers, because in its present shape the Cicerone has undergone revision at the hands of Dr. A. von Zahn and a staff of *collaborateurs*, who have brought down its contents to a level with the latest information. Possessing, then, this fault of ambiguous character, the fault of setting forth under the fashion of a guide-book that which is in fact a general history of art, the Cicerone nevertheless maintains its title to the epithet valuable which we gave it at the outset. Nowhere else is so much sound information to be got at concerning the monuments now existing in Italy, whether of classical antiquity, of the Middle Age, or of the Renaissance, in a form at once so short and so explicit.

In our remarks on the History of Herr Overbeck, we said that he was not a great theorist on the philosophies of his subject. We have next³ to do with the work of one who, if not a great, is at any rate a ready theorist on the philosophy of art. Herr Planck is the author of a treatise of which the aim is to develop a comparison between

² "Das Cicerone." Eine Anleitung zur Gewiss der Kunstwerke Italiens, von Jacob Burckhardt. Zweite Auflage. II. Sculptur. Leipzig: Seemann. 1869. .

³ "Gesetz und Ziel der Neuen Kunstentwicklung im Vergleiche mit der Antiken." Von K. Ch. Planck. Stuttgart: Ebner und Seubert. 1870.

the spirit of ancient and the spirit of modern art (understanding by ancient the classical art of the pre-Christian ages, and by modern the art of the Christian ages, and especially of the great epoch of the Renaissance), and to do this in conformity to the principles of a special philosophy of his own, a special view which he has formed for himself of nature and the universe. The present treatise, he informs us in his preface, is only a part or member of a comprehensive scheme, a realistic ontology as it seems, an *organic* system of thought, as the author claims that it is, in opposition to the atomistic systems that are prevalent to-day. The author avows the inadequacy of the chapters in his present work which set forth the outlines of his general position, and tells us that a comprehensive and scientifically elaborated account of it, which he has already prepared, has hitherto failed to overcome the difficulties which the "unfavourable temper of the times" places in the way of its publication. Frankly, we cannot say that the world has, in our judgment, much cause to regret the existence of such difficulties. Having deliberately wasted as much time as was necessary to grasp the main points of our author's scheme, we deliberately decline to waste so much of our readers' time as would be necessary for their full apprehension of it. We shall confine ourselves to the following very rough outline. Herr Planck, for his scheme of organic Realism, affirms by way of postulate, that the one Reality in the universe is Oneness in Diversity, the Together in the Separate (*das Zusammen im Auseinander*), the fact of the identity of the One and the Many. Herr Planck does not make of the relations of the One and the Many a subject for metaphysical antinomies; on the contrary, he traces throughout the universe the great fact of organic unity among parts distributed in space, spiritual cohesion among things dispersed in material extension; and finds in this fact a firm objective law or basis for the explanation of the universe. An organic (and in the highest forms of being spiritual) Centre, imposing the law of unity and co-operation on distributed parts, on a Circumference—that is the fundamental fact of things; and in all phases of life this fact is, under some form or another, presented to us. Thus, in the solar system in which we ourselves live, the sun is the great organic Centre, gravitation towards the sun the first great organizing law that brings unity among the parts of the cosmic circumference. Gravitation is a uniform relation of the circumference to the centre; there arises a correlated action of the centre upon the circumference in the shape of Heat. The radiation of heat is a direct relation of the centre, *qua* centre, to the circumference. A third relation of the centre to the circumference is the radiation of Light. Gravitation, Heat, and Light, these are the fundamental relations of the universe, the primary material aspects and results of the fundamental fact of the *Zusammen im Auseinander*. These material aspects of the fact have their analogy in other aspects of it, in the relations which every centre, organic, vital, or spiritual, bears to the phenomena which constitute its Circumference. Such analogies it becomes easy for our author to trace, on the one hand, by loosely apprehending and formulating in an arbitrary metaphysical language the facts of the physical world, and on the other, by ren-

dering according to an interpretation of his own the facts of the non-physical world, the facts presented by vital and spiritual organisms—that is, by man and society. With reference to fine art, which is the special theme of his essay, our author makes it his main point to show that antique art gave expression to a complete harmony that in antique society subsisted between the moral and spiritual Centre and the physical and material Circumference; whereas all later art has expressed some mode of disharmony that in later society has subsisted between these, has drawn its inspiration either one-sidedly from the moral centre alone (*e.g.*, the early religious purists), or the other-sidedly, if one may say so, from the material Circumference alone—*e.g.*, the Florentine realists. And for a complete modern development of art, in which centre and circumference shall be reconciled, and modern soul find harmonious expression in adequate forms of modern beauty—to prepare the way for this we require first of all the general adoption of Herr Planck's scheme of thought, and next a social and industrial revolution, of which he also adumbrates the nature for us. But we do not find Herr Planck's words on these matters the words of wisdom. Broadly speaking, any new generalization that sets the facts of a subject in a new light and in new relations to one another is a thing to be grateful for; but the facts of our special province of art as generalized by the present writer (so far as it is facts that he generalizes), yield us hardly any cause for gratitude. The only value of the book, in short, is that which it possesses as a fresh testimony of the craving which in our day preys more and more manifestly upon every thinking mind (and most strongly upon the thinking mind that has a feeling heart to sustain it), the craving for something more comprehensive, more organic, more helpful than the sciences, for something to co-ordinate and harmonize the facts of modern life and modern knowledge, at present chaotically dispersed, and in their dispersion distracting to humanity.

In spite of our initial protestation, we have given so much space to the rash effort by which the author who has just occupied us has sought to clutch at a principle of harmony in the universe, that little can be given to the equally rash but much more acute essay in another kind that lies before us. Dr. von Hartsen,⁴ with the manner of a confident *sabreur*, comes to correct the theories of Herbart (a thinker whose place in the esteem of his countrymen seems to be daily rising), and in their corrected form to commend them to the acceptance of mankind. Readers may remember that in a recent number we noticed the Essay of a gentleman named Horwicz, on the laws of art and their limitations, which carried off a prize offered by the Academy of Strassburg. Into his present study Dr. von Hartsen has incorporated an essay with which he himself competed, and competed unsuccessfully, for that prize. His style is certainly not that of a prize essayist. It is spasmodic, inelegant, sometimes insolent. It makes great pre-

⁴ "Grundlegung von Ästhetik, Moral, und Erziehung." Von Dr. F. A. V. Hartsen. Halle. Pfeffer.

tensions, and not quite without reason, to clearness. Dr. von Hartsen charges most of the great philosophic names of Germany with wilful and distracting obscurity (wherein the English reader may agree with him), and spends much pains in improving the definition and elucidating the meaning of his own philosophic parent Herbart. Experimental psychology is in his esteem the one sound philosophic enterprise; and he attempts in the present pages to advance that department of experimental psychology which has to do with the laws of taste; in other words, with æsthetics. Students of German thought do not need to be told that any theorist who is, however remotely, a disciple of Herbart, as a matter of course includes the greater part of ethics under the province of æsthetics, as a matter of course regards moral judgments as judgments of taste, as that species of the genus æsthetic judgments which has reference to the temper and conduct of men. Hence, side by side with a "Kunstlehre," Dr. Hartsen in his brief, apophthegmatic, *staccato* manner, gives us also a "Tugendlehre." Ethics for him is the Æsthetics of Moral Habits or Tempers (*Æsthetik der Gesinnungen*). Obviously this is a legitimate and instructive side from which to regard ethics; but from this side it is, we think, equally obvious that the last word cannot be said concerning ethics. Granting the fact that in the adult and developed human being the sentiments of moral approval and disapproval are in great part æsthetic sentiments, that I like a woman to be chaste or a man to be brave in the same way as I like colours to be harmonious and sounds to be sweet; granting this, we have not yet arrived at an ultimate fact of human nature. We have arrived at a fact which is demonstrably the resultant of innumerable previous facts; we must push our analysis further and see what these previous facts are. We shall then find that the instinctive approval by us of certain moral states in ourselves and others, and the instinctive disapproval of other moral states, are not phenomena inseparable from our mental constitution, as the approval, say, of certain sounds and colours and the disapproval of others seem to be. They are the results of an immense and slowly accumulated experience, in our forefathers and ourselves, of the practical effect of these diverse moral states upon our own and upon others' happiness. The manner of the acquisition and consolidation of this experience, which it is the especial business of the experimental psychologist to disclose, is, we think, entirely passed over by writers of the school under consideration. Finding an affinity between the fully developed emotions of moral approval and disapproval, and the emotions of æsthetic approval and disapproval, they at once, hastily, as we think, classify the one under the other. That from such a classification, made provisionally with the due reservation, much light may be thrown on that obscure and debateable border-ground of the human spirit in which the ideas of beauty and virtue have in truth their confines, we do not for a moment doubt; but that such a classification will stand when a philosophical analysis is pushed to the *origin* of those two resembling orders of ideas, we do not for a moment believe. Hence, we think, the meagre value that attaches to Dr. von Hartsen's essay. Nevertheless, it is an essay worth reading, for the

sake of the strokes of acute insight and criticism which, as we have said, are contained in it.

Herr Paul Konewka, an artist already known in this country in virtue of his clever silhouette illustrations to the "Midsummer Night's Dream" and to "Faust," has produced an altogether charming work for children in the shape of "Der Schwarze Peter."⁵ Between the inevitable quaintness and harshness of the silhouette manner—bare black silhouettes printed on white grounds—and the subtle poetry and humour which Herr Konewka threw into his silhouette designs, there arose in the works we have mentioned a sense of contrast, of surprise and disharmony, which somehow robbed them of their full effect. But in the case of the present book there arises no such sense. In illustrating a set of artless rhymes for children with delicately composed and exquisitely drawn groups in black—groups of children and animals, good children and bad, with toys, pets, puppy-dogs, cats, ponies, new shoes, sausages, or what not, which the scheme of the book requires its readers to suppose have been cut out of paper by the clever "Black Peter"—in doing this Herr Konewka has found himself altogether at home with his peculiar talent, and has produced for German children one of the most delightful of gift-books.

A French gift-book of quite another pretension, and quite another costliness, is the "*Chefs d'Œuvre de la Peinture Italienne*,"⁶ recently issued by MM. Firmin Didot, with text by M. Paul Mantz, and twenty chromo-lithographs by M. Kellerhoven, besides numerous and elaborate illustrations on wood. This is one of the most ambitious and sumptuous, and, to us, one of the most unsatisfactory of books. We do not mean as to its text; for the critical essay or set of essays supplied by M. Paul Mantz is intelligent, vivacious, instructive even. We mean as to its illustrations, although these are probably the finest of their class ever produced. But it is the class to which they belong that is to us, under all circumstances, unsatisfactory. We do not see the good of travestying a divine picture into the likeness of a full-sized coloured Christmas illustration of the "Illustrated London News." Of course chromo-lithography, as practised by its foremost professor, M. Kellerhoven, is a very different thing from the chromo-lithography which among ourselves is made the mural ornament of so many nurseries and servants' halls. But it is utterly impossible for chromo-lithography worthily to reproduce a great picture; the attempt is one that should be abandoned, or, at any rate, postponed until European craftsmen can make themselves masters of some of the secrets of Japanese block-printing in colour; for in Japan, colour-printing has for ages been carried on with a beauty and perfection that leaves hopelessly behind it all European efforts in that kind.

⁵ "Der Schwarze Peter-illustrationen." Von Paul Konewka. Stuttgart: Hoffmann. London: Trübner.

⁶ "*Chefs d'Œuvre de la Peinture Italienne*." Par Paul Mantz. Avec 20 planches en chromo-lithographie par H. Kellerhoven. Paris: Firmin Didot. 1870.

Messrs. Bell and Daldy issue a careful and carefully got-up translation of the "*Guide aux Amateurs d'Armes*" of M. Auguste Demmin.⁷ M. Demmin's book is the most comprehensive and, we conceive, trustworthy, of existing handbooks of armour. Its author is a man of real acquirement, though, as it seems, of somewhat excessive self-confidence. In correcting his predecessors he puts them sometimes to the right-about with a somewhat unpardonable brusquerie; and would inspire more credit were he a little less contemptuous towards his fellow-workers. In his brief preliminary "*History of Ancient Arms*," M. Demmin, with a great deal that seems sound and erudite, shows himself quite unacquainted with the results of the latest researches into the history of the early Asiatic monarchies. The valuable part of his work consists, however, of the illustrated descriptions of ancient mediæval and modern armour down to the seventeenth century—descriptions short and pointed, and illustrated with something like 2000 plain, vigorous, and unpretending woodcuts that answer their purpose admirably. Mr. Black deserves credit for the spirit and fidelity of his translation.

It is a curious coincidence that the life of the great artist of Nürnberg should have become the subject of two independent studies at the same season. Mr. W. B. Scott, an original talent both in art and literature, whose reputation has been by no means equal to his deserts, is the author of the former and shorter of these studies.⁸ Those readers who have already had their interest in Mr. Scott's work awakened by acquaintance with his previous works—with his life of his brother David Scott, his "*Half-hour Lectures on the Fine Arts*," or his somewhat uncouth but most able and often profoundly poetical poetry—such readers will know what kind of qualities to expect in the present essay. An "essay" indeed is the word for it, since of Mr. Scott's whole volume (by no means a large one, either) more than a third is taken up with its very valuable appendices, in which a complete catalogue of the extant works of the master, compiled chiefly from the works of Heller and Bartsch, is supplied for our information. The remaining or first two-thirds of Mr. Scott's work leave upon the reader the impression rather of a review-article than of a book—a review-article somewhat rugged in form and unpolished in style, but of a tone admirably manly and vigorous, and animated both by a sincere enthusiasm for the subject, and by some natural affinity with and bias towards the strong shrewd humour, the knotty intellectuality and quaint artistic directness, that belonged to the South German schools of the early sixteenth century. In the investigation of obscure problems (and of these the uneventful life of Dürer presents more than one), Mr. Scott can perhaps not be said to have done very much. Nevertheless, the character which we have described in his book gives it a special value and interest of its own, quite apart from

⁷ "*Weapons of War.*" By Auguste Demmin. Translated by C. C. Black, M.A. London: Bell and Daldy. 1870.

⁸ "*Albert Dürer, his Life and Works.*" By William B. Scott. London: Longmans, Green, and Co. 1869.

the very high value of its appendices. And a further merit in it comes from the illustrations, which in this case have the advantage, rare with book illustrations, of proceeding directly from the hand of a true artist. Mr. Scott has himself, with conspicuous power, etched for us three portraits of Dürer—his own boy-portrait of himself at the age of 13; his later well-known full-face portrait of himself with short beard and flowing hair, of which the original is in the Pinakothek at Munich; and a third (little known) beardless portrait of him, painted by Tommaso Vincidore, at Antwerp, about the year 1520. We have also a representation of Dürer's house in the Zisselstrasse, and what is in quality of workmanship the finest illustration in the book, a reproduction of the beautiful landscape from the lower part of the plate known as the "Great Fortune." The work of Mrs. Heaton⁹ on the same illustrious subject is more a work of *luxé*, more (as to its externals) in the nature of a publisher's Christmas enterprise, than the work of Mr. Scott. It is illustrated with photographs (most of them done by the so-called "autotype" or carbon process) after the best known plates of the master. In some ways this lady's work is more thoroughly scholarly than that we have just noticed; it is evidently the fruit of great pains and conscientious research; where Mr. Scott gives us scraps, extracts, and quotations from the extant letters and diaries of the artist, Mrs. Heaton translates—carefully, but a little thinly and diffusely—in full. Thinness and diffusiveness are in a word the faults of a volume in many ways deserving high praise. On all vexed questions concerned with Dürer's career, on the character of his wife, on the nature of his religion, on the subjects of his mystical and symbolical designs, Mrs. Heaton has been too prodigal of words that carry too little thought. For her conscientious diligence and successful research into facts we owe her all thanks; for her somewhat verbose and wandering commentaries on them not so. Yet the book is a pleasant, and—but for its binding that would be handsome and is ugly—a desirable one. In saying what we think is to be said against it, we have avoided, as the only real courtesy in such matters, to extenuate anything whatever out of deference to the sex of its author.

In an earlier part of this section we had to make excuses to the reader for detaining him over the consideration of some bad German philosophy. We will not incur the necessity of a second apology by detaining him long over a volume of bad English philosophy, or what is meant for such, which has been submitted to us.¹⁰ When we saw two full octavo volumes on the "Theory of the Arts," comprising, as its title-page announced, "an investigation, analytical and critical, into the origin, rise, province, principles, and application of each of the arts," then our heart leaped up within us, and we hoped that some thinker had been in silence applying himself to the subject of our predilection,

⁹ "The History of the Life of Albrecht Dürer, of Nürnberg." By Mrs. Charles Heaton. London: Macmillan. 1869.

¹⁰ "The Theory of the Arts; or, Art in Relation to Nature, Civilization, and Man." By George Harris, F.S.A. In Two Volumes. London: Trübner. 1869.

to the branch of philosophy that of all others has been least illuminated, in England at least, with accurate thought, and was here laying his results before the world. But, alas! it is not a thinker that we have to do with here, nor are his results of the luminous kind. We regret to have to say of a work which has clearly been produced with much labour and some enthusiasm, that it is the most unconstructive farrago which we have yet encountered of platitude, tautology, involved misunderstanding, and dire prolixity in emptiness. With a considerable show of logical subdivision and classification, the author has nothing to classify and subdivide. In section after section, of which the titles lead us to look for something done in history, criticism, or psychology, we find only sentences of which the uncouth magniloquence and meaningless rhetoric carry no idea at all, or only some shadow of an idea thrice stale by repetition. One passage we quote to show the value of our author's speculations when he *can* claim to be original. This is his suggestion for a new order of works of art to be called "Graphopneumata:—

"I will here venture to originate a proposal for a new order of artistical design, the importance of which for the furtherance of art in its higher departments, will be obvious to all who are familiar with its leading principles, and through which I hope to see enlisted in the service of art some of those minds from which have emanated ideas of a grandeur and sublimity peculiarly suitable for the endowment of works of this description. The theory here propounded is that the conception of a grand artistical composition may be well and completely effected by one particular person gifted with powers applicable for the purpose, but who may not be possessed of the endowments which would enable him to embody his ideas upon canvas, though such latter person may not be gifted with the capacity to have originated or conceived the ideas or composition so to be embodied. By this contrivance the aid of individuals of poetical genius may be availed of to contribute in the composition of pictorial works, which might be designed through a written or verbal description of them by the man of mind, and executed by the manually skilful artist; the former supplying as it were the soul, and the latter the body of the composition. . . . For instance, when a man of real genius determines upon the production of a great work of art, there are two distinct and independent processes which have to be accomplished, and in the performance of each of which men vary greatly according to the bent and quality of the particular talents with which they are endowed. I. In the first place, ideas adequate and suitable of the representation to be achieved, are formed in the mind of the artist. II. In the second place, the work is manually executed according to the design effected by those ideas. Those especially of the highest genius are wont to create in their minds designs very far superior to anything that their mechanical dexterity enables them to accomplish; while many of a lower grade of talent excel much more in manual dexterity than in mental design, and their performances in the former are much better than in the latter. . . . By the adoption of the proposal here made, the department best fitted for each is that which each would follow. . . . To designs thus produced I propose to give the general name Graphopneumata, or spirits or souls of pictures—*γραφῶν πνεύματα*,—which the man of intellect and imagination will originate and describe graphically in the way I have set forth; while the painter"—

But *ohé jam!*—were ever so many words used to set forth a thought so futile?

Among gift-books of the season, the edition of *Æsop's Fables*,¹¹ issued by Messrs. Cassell, is noticeable. The well-beloved apologues, which have come to be part of the mental stock of every European person that has passed the age of four or so, are re-written sensibly in good prose by Mr. Rundell, and printed in a handsome form, with a profusion of illustrations from the hand of M. Ernest Griset. M. Ernest Griset is an exceedingly clever draughtsman, but his work is not of a kind which we should ourselves care to place in the hands of children. With a keen perception of animal nature and a keen sense of the grotesque, he joins a sordid cynicism that is all the more afflicting from its perfect sincerity. In all that M. Griset has done there has been fun of a kind, but of a bitter, almost a nasty kind; never a healthy, jovial, or kindly fun. His human grotesques are always of a type strictly modern and deeply degraded; they are idealized Parisian loafers of to-day, and their degradation is the degradation of the *guinguette* and the *estaminet*. This is not a pretty thing for children to look at, neither is it good that children should see, in the humanized animals of fable, the expression of this same sordid degradation and dilapidated cunning. The special genius of M. Griset lies in transferring this expression to the animal creation, and of this genius the present book contains some striking examples; note especially the fable of the Boar and the Ass (p. 81), and that of the Fox and the Stork (p. 33), this latter design being repeated on the cover of the book. Sometimes, it must be said, that M. Griset gives evidence of a more poetical power, of a fine sense for form and for the distribution of masses; witness the two full page designs opposite pp. 44 and 108. It is to be regretted that this artist should, in his backgrounds, have permitted himself into a tricky imitation of the tricky manner of M. Gustave Doré.

Lovers of Venice (which is as much as to say everybody) will regard with pleasure the volume¹² in which Messrs. Provost have collected most of the best things that English poets have written about the enchanted ideal city, and accompanied the collection with views of the choicest sights thereof. There is something to us not quite pleasant in the look of photographs of landscape or architecture, as applied to book illustration. This depends in part, perhaps, on the notion of evanescence that attaches to them, to the prospect one cannot help entertaining, rightly or wrongly, of one's grandchildren opening a book so illustrated and finding nothing but a brown blur where there had once been a picture. However, we may appease such misgivings by the thought that, in the meantime, photography is a method of illustration far cheaper than engraving, and far better than bad engraving. The present photographs are well chosen and well done, and the text judiciously selected (only some misprints, as is usual in books of that class, have been allowed to slip into it). The poetry includes Addison's translation from Sannazzaro, the well-known sonnet of

¹¹ "*Æsop's Fables*." Illustrated by E. Griset. Text Revised by T. B. Rundell. London: Cassell.

¹² "*Venice and the Poets*." With Photographic Illustrations, Edited by Stephen Thompson. London: Provost and Co. 1870.

Wordsworth, the equally well-known passages from Byron's *Childe Harold*, and Rogers' *Italy*; part of Shelley's "Lines written among the Euganean Hills," Browning's "In a Gondola," extracts from the "Dipsychus" of Clough, and two lyrics of Tom Moore's which would have been better out.

The same publishers have produced a set of extracts from Wordsworth¹³ with photographic illustrations, to which the same remarks possess application as to the book last mentioned. In their special manners, both the selection and illustration are distinctly well done, and the book is printed with much beauty of type, but with too little diligence as to accuracy of text. A third work illustrated (although not so profusely as the two last named) with landscape photographs, is Mr. Mann's "History of Gibraltar"¹⁴ and its Sieges." This, besides being a handsome and presentable gift-book, seems to be also a really exhaustive and complete monograph on a by no means uninteresting subject.

Mr. Wright's curious half sociological and half archæological treatise¹⁵ well deserves a more detailed notice than we are here able to give it. "Womankind in Western Europe," is a title promising much; and though Mr. Wright's book does not altogether fulfil the promise of its title, there is much in it that is interesting, new, and carefully compiled from resources of an authentic knowledge. As a contribution to the discussion of the momentous question now agitating us, the question of the position of women in society, this book will not, perhaps, be of so much value as it would have been had the externals of feminine history been made less its special subject. Although by his summaries and commentaries of mediæval romance and literature, and by his account of the constitution of feudal family-society, Mr. Wright does certainly contribute some materials towards real discussion, yet the essence of his book, and the point of it as a kind of popular "Prachtwerk," sleekly got up, and engagingly printed and illustrated for family reading—lies in its account of feminine dress and accoutrements in the middle ages. On this point it cannot but take its place as a real authority, an authority to which reference is made both easier and more agreeable by the numerous coloured plates and woodcuts (varying considerably in merit) which adorn it.

¹³ "Our English Lakes, Mountains, and Waterfalls." As seen by William Wordsworth. With Photographic Illustrations by Thomas Ogle. London: Provost and Co. 1870.

¹⁴ "A History of Gibraltar and its Sieges." With Photographic Illustrations. By J. H. Mann. London: Provost. 1870.

¹⁵ "Womankind in Western Europe, from the Earliest Times to the Seventeenth Century." By Thomas Wright, M.A., F.S.C., &c. London: Groombridge. 1869.

THE
WESTMINSTER
AND
FOREIGN QUARTERLY
REVIEW.

~~~~~  
APRIL 1, 1870.  
~~~~~

ART. I.—UNPUBLISHED LETTERS WRITTEN BY SAMUEL
TAYLOR COLERIDGE.

PART I.

SOME letters addressed to a friend by S. T. Coleridge, and presented to us by that friend shortly before his death, illustrate a period in the life of an exquisite poet and otherwise memorable person, which those who have written his annals seem to have passed lightly over or altogether omitted. Unhappily but a fragment of the period to which we refer (1813-1816) enjoys even the desultory illumination which these autographs afford, for they embrace only a part of the time which Coleridge passed at "sweet Calne, in Wiltshire," the dulce domum of the poor friendless lad, "the inspired charity boy" himself, in Elia's delightful essay. Bearing the date of the year, but rarely that of the month, these letters were written, with one or two exceptions, in the little country town where once stood the palace of the West Saxon kings, during the interval 1815-1816. In the April of this last year Coleridge went to reside with Mr. Gillman, in what Carlyle calls his Dodona Oakgrove, among "the flowery leafy gardens" of Highgate. From his tutelary host and biographer we learn that it was soon after the sojourn at Hammersmith, and the London Lectures of 1811 and 1812, that Coleridge retired, with an old Bristol acquaintance, Mr. Morgan, to the quiet market-town of Calne: one motive for the selection of that spot being the anticipated companionship of the Rev. Lisle Bowles, the poet, whose natural thoughts combined with natural diction had, in earlier life, been to him a wellspring of delight. Coleridge's presence in Calne in 1813 appears to be indirectly attested in an old playbill of the town issued in that year, and setting forth that the tragedy of *Remorse* had been [Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. AA

performed at Drury Lane with unbounded applause for thirty successive nights. On the 14th of February, in the same year, Coleridge wrote to Mr. Poole, the recipient of the biographical confidences of 1796,* to thank him for certain kind and cordial words to which he owed the only pleasurable sensations which the success of the *Remorse* had given him. The local date of this letter is not ascertainable from the editorial notice in the *Biographia Literaria*; but as Mr. Gillman states that the Calne retirement followed the performance of the play, we may be pretty sure that it was written in or near that quiet spot; and that when the writer averred that no grocer's apprentice after his first month's permitted riot was ever sicker of figs or raisins than he of hearing about the *Remorse*, it was from the still seclusion of his Wiltshire home that he thus unbosomed himself to the friend whom he applauded for the raciness of his intellect and the steadiness of his attachments, and whose garden joined on to his own little orchard, during his residence in the meadowy county of Somerset.

For the remainder of the year 1813 and of the whole of the ensuing year we have no autographic illustration to offer. The intimacy with the late Dr. Brabant, then of Devizes, the friend to whom Coleridge addressed the letters now offered to the world, had evidently been matured long before the middle of the year 1815. We do not know under what circumstances it commenced, but the high reputation and splendid intellectual faculty of Coleridge, on the one hand, and the practical sympathy, fine genialities and vigorous and inquisitive mind of his correspondent, on the other, could not fail, sooner or later, to furnish motive and occasion for a first reciprocal approach, and for frequent subsequent intercourse. In fact, Coleridge in those days profited not only by his new friend's professional advice, but by the constant hospitalities accorded him. The eldest of the sisters noted in these letters still retains among her fading memories a dim reminiscence of the poet's garden rambles, and of the eloquent talk to which she listened delightedly; and the "bewitching effect" that his slow measured recitation of "Christabel," "then enshrined in manuscript," imparted to its "wizard lines," has been made the subject of comment in our hearing by some who, on days long gone, stood within the circle of his spells. Of "the little ones whose faces were often before him," the survivor whom, in more than one letter, he greets by name, and over whom he once murmured the words—

"The fairy thing, with red round cheeks,
That always finds, and never seeks,"

still recalls the gracious personage that went to and fro between.

* Published in the "*Biographia Literaria*."

Calne and Devizes, carrying a silk handkerchief dexterously metamorphosed into a travelling valise. Other houses, besides that of his admiring correspondent, readily opened to admit the "logician, metaphysician, bard." Among the number of those who thus welcomed Coleridge were Mr. T. Methuen, the late Rector of All Cannings; Mr. Money, the incumbent of Yatton; and the then noble proprietor of Bowood. A whimsical anecdote commemorating a trivial incident, at a dinner possibly given in Coleridge's honour, is perhaps worth rescuing from that mystical wallet in which Shakespeare assures us that "Time bears alms for oblivion." It chanced that the venison served at this particular feast of reason had acquired more than enough of the ambrosial ripeness that is the indispensable characteristic of those viands which Milton calls "meats of noblest sort and favour, beasts of chace or fowl of game," and one of the more secular of the guests arrogating the privilege of criticism, and finding ordinary language wholly inadequate to the occasion, exclaimed, "That venison's DAMNED high." The emphatic expletive gave offence to the sensitive piety of one of the party, who, commenting on the critic's too spontaneous rhetoric, was playfully opposed by Coleridge. "Well," said he, "what else *could* you say? You couldn't say *very* high; it would be feeble! No language less forcible than DAMNED high could do justice to the state of that venison!"

In the October of 1815 Coleridge attained his forty-third year. Still in the bright summer of life, he already began to assume a somewhat antique luxurious appearance, as described in the contemporary word-portrait of the author of "Ion." "Although he looked much older than he was, his hair being silvered over, and his person tending to corpulency, there was about him no trace of sickness, or mental decay, but rather an air of voluptuous repose." It was before the middle of this year that Coleridge's correspondence with Dr. Brabant commenced. The first letter in our series is dated vaguely Calne, 1815. But we are enabled to approximate to chronological accuracy through the indication afforded by the reference which it contains to the escape of Napoleon, "the mimic and caricaturist of Charlemagne," as Coleridge delighted to call him, and still more by the reference to the impending corn-enactment designed to secure protection for the agriculturist, by excluding grain of foreign growth for consumption though not for re-exportation, till the average price of wheat had reached 80s., of barley 40s., and of oats 26s. per quarter. The embarkation from Elba took place on the 26th of February, 1815; the Corn Bill which had passed the second reading in the Lords on the 27th of June, 1814, became the law of the land on 20th of March, 1815. It was in the interval between the end of

February and the middle of March, therefore, that Coleridge penned the following letter:—

“ Calne, 1815.

“MY DEAR SIR,—I very much regret that unlucky pre-engagements have put it out of my power to enjoy at one time the pleasure of your and Mrs. Brabant's and Miss Hillier's society. I assure you I have felt and feel it a disappointment. But on Monday I was obliged by a former promise, much against my will, to draw up and support a petition to the Prince; and on Wednesday we have long engaged to dine for the first time at Mr. Marsh's; and I know he has invited a party—some from the country. My spirits too are but in bad plight, having embrangled myself with some vehement *professors* of friendship, but most indelicate *performers*, with regard to two volumes of poems.

“Merciful God! What awful times! The Corn Bill, Disgrace, and a cowardly imprudent Truce under the name of Peace with America. Our national character branded with Breach of Faith in Italy—and God's wrath in the shape of Buonaparte once more burst forth from its brief slumber. I feel a strong impulse to write and publish a dithyrambic ode, a Tocsin of Repentance with the title taken from the first words of the poem, ‘And have we not deserved it?’ The question concerning the necessity of a Reform in Parliament I consider is now decided. The Landowners and the Great Farmers are our masters, and have dared establish a minimum on the price, a maximum on the quantity of the poor man's cold dry dinner. Can the God of Truth lie? and hath he not said ‘Woe! woe! to them that lay house to house and field to field that they may be alone in the land.’ The land is mine, saith the Lord; it is not yours! to you I have entrusted it.

“At Calne, when the quarter of wheat was at 63s., the price of the quarter loaf (here called the half-gallon) was 9½d.; by the rise of the market in consequence of the existing restriction from 63 to 66 and 67, the loaf has been raised to 11d. If then from 63 to 67 the rise has been three halfpence, from 67 to 80, say 79, it would be 4½ = 15½, and should the average be 83 it must be 6d., i.e. 18d. But this cannot be, say the plump calculators; but this *is* so, reply the pale-faced consumers. But it ought not to be so, retort the former. More shame for you then, ye calculating legislators that make laws for yourselves! How dared you pass the Corn Bill on presumption that it could not raise the quarter loaf above a shilling without first having done away all the iniquities (if such exist) by which it is notorious that it will be at 16d., and may be at 18d. The poor man had his loaf at 8d., then at 9d. The old tax made payable to you of sixteen millions per annum, which, added to the prohibition of the importation of cattle, is probably above twenty millions,

raised his loaf to 11*d.* Your new tax will be the *occasion* of its rising 4*d.* or 5*d.* more. What is it to the poor man whether it be the cause or the occasion, or part one, part the other, if the result is the same? As to the pretext that wages will rise in proportion, the proper answer, however vulgar, would be, A Lie! The rejection of Lord Grenville's clause has opened the eyes of every man whose lids are not weighed down by the Incubus Mammon. You say that nothing on earth could influence you to pass the Bill if you thought that such and such would be the results; well then, if you are sincere, let the Bill provide for its own discontinuance as soon as such results shall have been produced by it. No!

"Then how disgraceful that, in the two Houses of Legislature, there was not a single speech on the part of the supporters of the measure which a philosopher could answer, with the single exception of Lord Liverpool's! He indeed has presented tangible somethings, and not unworthy of confutation, though the *petitio principii* and counterfeit analogies constitute the whole substance of his figures in armour. One of his arguments may be thus translated:—Yon goose has been revolving before the fire for two hours, and in every minute of these hours the flesh has become progressively better and more valuable, therefore let it have two hours longer with a fire twice as hot, and it is hard to calculate with what geometrical rapidity it will improve: it cannot do less than become a swan!' Make my most affectionate respects to Mr. Brabant, my love to your little ones, and my best compliments to Miss Hillier. As soon as I can I will come over and spend a day. Mr. Marsh will lend me a horse to ride five or six miles, and Morgan will walk so far and ride it back. God bless you!

"S. T. COLERIDGE.

"Tuesday noon.

"I send this by the gardener."

The second letter in our series was evidently written about the same time as its predecessor, but, presumably, a little later. The writings of Dr. Williams, the author of an *Essay on the "Equity of Divine Government, and the Sovereignty of Divine Grace,"* and of other kindred works, seem in the early months of 1816 to have attracted the attention of Coleridge and his correspondent. The contemptuous notice of Bishop Tomline, at the commencement of the letter, may be compared with an equally disrespectful passage in that curious serial the *Watchman*, published by Coleridge in 1796. After describing the Bishops as "the larger bodies in the ecclesiastical system, some at greater, some at lesser distance, but all revolving round their sun (the Court), rejoicing in the heat and radiance of ministerial favours," the writer irreverently assimilates Bishop Prettyman, on the score of his personal

charms, to Venus, unless, he submits, "Mercury be thought a more proper emblem for one who lackeys so closely the great Restorer of Splendour." Complimenting Dr. Williams on his triumph over this alliterative hero in the *Rolliad*—"prim preacher, prince of priests, and Prince's priest"—Coleridge hastens to record his dissatisfaction with modern Calvinism, at least as interpreted by the learned divine whose literary obliquities he unfavourably contrasts with the noble honesty and majesty of openness which glorify the writings of Spinoza, whose system, however, he equally rejects, as recognising "a world with one pole only, and consequently no equator." The letters addressed by Spinoza to Blyenbergh are eight in number, and not three, as Coleridge seems to imply. In the correspondence in Gfrörer's edition of Spinoza's works they extend from XXXI. to XXXVIII. The passage which is the subject of Coleridge's special criticism occurs in the thirty-fourth letter. Eloquent denunciation of the then impending Corn-law Bill, with some account of the local opposition to the obnoxious measure, in which Coleridge took a leading part, occupy a subsequent portion of the letter. The hymn, a correct copy of which accompanied the letter, was the beautiful "Hymn before Sunrise in the Vale of Chamouni," which, though written in Germany during 1797, was still among the poet's unpublished papers. Condemned by Wordsworth as a specimen of the mock sublime, the author elsewhere vindicates it as "the image and utterance of thoughts and emotions in which there was no mockery." The advice offered to Coleridge's correspondent in the postscript was ultimately followed. It was not, however, the ambition to prosecute the line of study suggested by Coleridge that induced his friend to acquire a knowledge of the German language, but the determination of an ardent and uncompromising intellect to sound the perilous depths of theological science, under the guidance of fearless and learned interpreters. Dr. Brabant—of whom the poet Moore truly said, that "though not a doctor of theology, he was much better versed in that science than many that are"—once remarked to Coleridge that the sceptical challenge to the reality of the cardinal miracle of the Christian religion might be thrown into the form of an alternative hypothesis; that if the Founder of that religion really died he never reappeared; or that, if he appeared after his crucifixion, he never really died. Coleridge rejoined that Dr. Paulus, the coryphæus of the rationalist school, had regarded the subject pretty much from the same point of view, an announcement that greatly interested his companion. Dr. Brabant subsequently made the acquaintance of the venerable Paulus at Heidelberg, and a frequent renewal of intercourse, continued for more than a quarter of a century, matured that acquaintance into a friendship alike gratifying to both. The

incongruous theory, however, adopted by Paulus, to fuse the supernatural element in Christianity in a solvent of nineteenth century Euhemerism, by no means approved itself to the sober judgment of his English friend.

“Calne, Friday.

“MY DEAR SIR,—I return Dr. Williams’s two works, with thanks for the pleasure I have had in the perusal. The defence of modern Calvinism is incomparably the better written of the two; and, with the exception of the metaphysical Introduction, as complete a confutation of Bishop *Alias*, Prettyman Tomlin Prettyman, as his worst enemy could desire, and yet in so Christian and gentlemanly a way that the Bishop’s warmest friends could not find matter of offence. My remarks on the larger work I have written on slips of paper, which you will find at the pages to which they refer: with the exception of my opinion *de toto*, which I incautiously wrote on the blank leaf at the beginning. But if it should be improper to send it back to the owner thus, you can take it out, and with a few drops of gum-water, replace it to advantage with a leaf of better paper. If Dr. Williams’s opinions be indeed those of the modern Calvinists collectively, I have taken my last farewell of modern Calvinism. It is in its inevitable consequences Spinosism, not that which Spinosism, *i.e.*, the doctrine of the Immanence of the World in God might be improved into, but Spinosism with all its skeleton unfleshed, bare bones and eye-holes, as presented by Spinoza himself. In one thing only does it differ; it has not the noble honesty, that majesty of openness so delightful in Spinoza, which made him scorn all attempts to varnish over fair consequences or to deny in words what he affirmed in the reasonings. I said in one thing only. O! I did injustice to thee, Spinoza! Righteous and gentle spirit! where should I find that iron chain of logic which neither man nor angel could *break*, but which falls of itself, by dissolving the rock of ice to which it is stapled, and which thou, in common with all thy contemporaries and predecessors, didst mistake for a rock of adamant [*viz.*, God as an *object*, forgetting that an object as much presupposes a subject as a subject does an object. Spinoza’s is a world with one pole only, and consequently no equator. Had he commenced either with the *natura naturata* as the Objective Pole, or at the ‘*I per se I*’ as the Subjective Pole, he must necessarily in either case have arrived at the equator, or Identity of Subject and Object, and thence, instead of a *God* = the one only substance of which all finite things are the modes and accidents—he would have revealed to himself the doctrine of the Living God, having the ground of his own Existence within himself, and the originating Principle of all dependent existence in his Will and Word]—where shall I find the hundred deep and solemn Truths, which as so

many germs of Resurrection to Life and a glorified Body will make, sooner or later, 'the dry bones live?'

"That I am not mis-charging Dr. Williams you would be convinced in ten minutes, by merely turning to Spinoza's three letters (especially the second) to Blyenburgh. But Spinoza never was guilty of such an evasion as that we were responsible beings to God as a *Judge*, because he does not act on the will, but only on the Heart or Nature, which, however, the will cannot but follow. He knew too well that *Causa causæ causa causati*. You might as well cut the Rope that suspended a hanging scaffolding and pretend that the man in it fell and broke his limbs of his own accord—for you never pushed him—you did not even touch him. No! Spinoza tells his correspondent plainly, 'The difference between us is, that you consider actions in relation to God as a Judge, and if I did the same I could not evade your consequences, but should myself exclaim, Why yet findeth he fault, seeing we do nothing but what he himself forced us to do? seeing that in truth we do nothing, but it is he worketh in us both to will and to do? But I do not contemplate God as a Judge, or attribute any human qualities or offices to him, but regard him as the Eternal Source of necessary causes.' Now this is fair dealing at least.

"So much for theological metaphysics. On Wednesday we had a public meeting in the Market Place at Calne, to petition Parliament against the Corn Bill. I drew it up for Mr. Wait, and afterwards, mounted on the butchers' table, made a butcherly sort of speech of an hour long to a very ragged but not butcherly audience, for by their pale faces few of them seemed to have had more than a very occasional acquaintance with butchers' meat. Loud were the huzzas, and, if it depended on the inhabitants at large, I believe they would send me up to Parliament. I was not sorry to have an opportunity of showing that I had not supported Government so strenuously from the Treaty of Amiens to the present year from any interested motive, but from conscience. I do not know what opinion you have formed, but the more I examine the measure the more indignant do I become at its injustice and cruelty, the more astonished at the absurdity and self-contradiction of the arguments advanced in its behalf. Arguments! Nay; bold, broad, rattling assertions in the very teeth of facts and common sense, eked out by a stupid fear, gaping and staring cock-a-hoop on the shoulders of a lunatic Hope. I take it for granted that it would be imprudent for you as a professional man to appear publicly pro or con., but I confess I was sorry to hear that there was to be a *sly* meeting at Devizes—from which the inhabitants at large were to be excluded—for the support of the measure. Had it been an open county meeting I would certainly have attended, for, in my conscience, I hold the new Bill to be neither more nor less than a commu-

tation of the War and Property Taxes for a Poll Tax, transferring the payment of it from the Government to the great landowners, when, as the law now stands, we are taxed fifteen millions a year to enable them to act the Magnificos. It is a poll tax not proportioned, as the property tax in some measure was, to the ability of the payer, but pressing heavier the lower it descends; so that the poorest pay the most, not only virtually, as being so much less able to pay it, but actually, as making bread so very much larger a proportion of his whole sustenance.

"Will you be so good as to purchase for me a quarter of a pound of the best plain Rappee, at Anstey's, and (but in a separate paper) an ounce of Maccabau? I will settle when I see you. And I am requested to ask whether there is a public brewer at Devizes, and whether we can be served from thence with good table beer? Excuse this liberty; but Calne is a sepulchre in a desert, and the ale here from the public-houses is either syrup or vinegar. Make my affectionate remembrances to Mrs. Brabant, and my best compliments to her sisters. I have enclosed for Mrs. B. a correct copy of my hymn, which I should wish Miss Hillier to see.* My love to the little ones.

"Yours, dear Sir, faithfully, "S. T. COLERIDGE.

"P.S.—O that you had but two hours in the twenty-four which, without injury to your health and spirits, you could command for yourself. I would then importune you to learn German. Dr. Gooch, to whom I gave the same advice and who mastered the language, rates the advantage which he has derived from it professionally very high indeed. There is a sobriety of sound sense in the constitution of your mind which would counteract the excess of system in the German Medico-Philosophers, yet combine into a golden tertium aliquid."

In this letter were enclosed the slips of paper to which the writer refers at its commencement. On these slips were written comments on Dr. Williams's real or alleged errors. Here is a beautifully Coleridgean view of eternal punishment, with its subtle metaphysical distinctions.

Introd. p. 11.—May it not be said that, by Jacob and Esau, nations,

* In a note to the copy of the Hymn, "S. T. Coleridge entreats Mrs. Brabant to excuse the slovenly state into which this copy has degenerated from candles and carelessness. He dares not trust to his own procrastinating spirit or he would withdraw it from the parcel and send a fairer copy by a future opportunity. It is, however, a correct copy, and the only correct copy in existence." This copy contains in the last paragraph two or three readings different from those adopted by the editors of "The Poems" in 1865. Instead of "Thou too, hoar mount" we find "Once more, hoar mount;" and a little lower the word "again" is erased, and "once more" written above it. Instead of "pure serene" our copy has "blue serene." In a side-note "avalanche" is explained as "The fall of vast masses of snow, so called."

not individuals, are understood? Esau prospered abundantly, and became the founder of a great kingdom, which, after having answered its purposes, was finally incorporated with Judæa. St. Paul proves that the Jews were chosen by free grace, without any moral claim on their part, or if any, solely by the FAITH of Abraham. How impious, then, for the Jews to arraign the equity of a dispensation which admitted the Gentiles on the very same ground, namely, Faith, or murmur at their *rejection* for hardened unbelief, whose election had been wholly of sovereign grace through Faith! I see nothing here of individuals as the subjects of absolute pre-ordination to guilt and misery. On the subject of the future fate of the Unredeemed, we ought with special awe to confine ourselves to the very terms of Scripture; and now in what passage shall we find the words "infinitely miserable?" On the contrary, we hear of *many* stripes and of *fewer*. The most frequent word in Scripture is Death as opposed to Life; now though Death most assuredly does not mean annihilation, it can scarcely, on the other hand, may be, made compatible with full and self-conscious personal existence, and as little can eternal be equivalent to infinite succession of times, eternity not being the genus, but the antithesis, of time.

It is abyss; and the only conceptions of it necessary for Christian edification are—1. That whatever it may be, it is most fearful, and the greatest of possible evils: 2. That [it] is *unalterable*, and excludes all presumptuous hope of after-purification to those who die impenitent.

In the next note Coleridge touches on the problem of the origin of moral evil, dissenting from the Neo-Platonic school, which attributes it to defect.

C. i., p. 34.—This solution of evil as the necessary consequence of finite existence is most ingeniously stated and supported by Plotinus, adopted by St. Augustine, afterwards formed into a system by Leibnitz, and was taught by most of the German Divines (those especially of the Wolfian school), till the appearance of Kant's "Religion within the Bounds of the Pure Reason," and of Schelling's "Treatise on Moral Evil." I profess myself with Kant and Schelling, convinced that Sin is not negative or merely of *defect*—at least, if degrees of limitation are meant—in short, if any more be meant than the self-evident truth that infinite perfection cannot sin, and that of course *creatureship* is a necessary *condition* of the *possibility* of sin; but this is far, very far, from making defect the *cause* of its *reality*. We hold Satan to have been the most glorious, the least limited of finite beings; and man, the noblest creature we *know* of, is the only creature capable of sin. If it be replied that the defect is not deficiency in general, but of reason and will, this would be an acknowledgment of my opinion—namely, that negation of absolute perfection is the condition of the possibility, but that something positive is the cause of the reality of moral evil.

The subject is further pursued in the following fragment, on which Coleridge still argues against the hypothesis that vicious propensity proceeds from mere defect:—

Pp. 36, 37.—With more reason, *ὡς ἔμοιγε δοκεῖ*, might we ask, how can a tendency or propensity proceed from mere defect? The splitting of a vessel by the freezing of water is as positive an act from the *abstraction* of heat as the melting of the same vessel from an *accession*, and *vice versâ*. That degree of fire which burns, that degree of light which is visible, derives its specific power from its degree—*i.e.*, from limitation or negation. Every individual act in a succession of time supposes deficiency in the sense of limit as the condition of its possibility, the virtuous no less than the vicious, and what is positive within such limit as the cause of its actuality. The vices that proceed from weakness, such as all sensual habits, are felt by us as *human* vices, compared with the proud enthronement of the individual will, which, though accompanied with courage, fortitude, contempt of pleasure and of sloth, patient endurance of pain, &c., constitutes nevertheless the fiendish or tyrant character.

Scripture informs us that even such is the judgment of God, and that, therefore, men were admitted to that mercy from which the fallen spirits are excluded. "He remembered that they were but of dust." However, both Scripture and the profoundest philosophy conspire to teach us that to man is given but one positive act, that of opening out his nature either to the Author of all Good or to the Prince of Darkness. It is strictly true that if the Holy Spirit do not work [in] us to will and to do, the evil spirit must. The very difficulties of this mysterious subject would tend to suggest the probability that this act is not in time, and that we know it by and through the *φαινόμενα* in our consciousness, of which that supersensual act is the *νοούμενον*, or intelligible ground. Hence we may understand the compatibility of remorse with a sense of necessitation. The latter results from the retrospect of the *Phænomena*, which, being in time, must be reflected under the law of cause and effect; the former to [query, from?] the *Noumenon*. S. T. C.

In a fourth-Note we find the bold admission that the Pagan hypothesis of a Great First Cause tends to degrade Deity into a component part of the Universe. Does Coleridge really dissipate the ontological perplexity by his distinction between cause and ground; or is it not another form of the avowal that the human mind is incapable of penetrating the mystery of origin, and wherever it elects a resting-place, must content itself with the simple acceptance of the inexplicable fact of Existence? In the argument against the doctrine of philosophical necessity which Coleridge has introduced into this note, he endeavours to fasten on the supporters a definition of the term which no intelligent advocate of the doctrine would now acknowledge. On the other hand, the self-determination supposed to exist independently of all ascertainable mental antecedents, of all states of mind related to pleasure and pain, and which is held to be an act of election by an inscrutable entity or transcendental self, has not been proved by Coleridge.

P. 41.—If I am not greatly deceived, Dr. Williams confounds the

two distinct ideas of cause and ground. God alone has the *ground* of his own existence in himself, and his self-existence is the *ground*, his will the *reason* of all the links in the infinite chain of causes; but he is not, without irreverence, to be conceived as one of those causes. "The Great First Cause" is like many other phrases borrowed from Pagan philosophy of a very ambiguous and questionable import, and tends to degrade the High and Holy One into a component part of the universe, as a pilot or helmsman in a ship's company, or a charioteer in a chariot (such are Aristotle's similitudes), at best but an *Anima Mundi*. The phrase "motive" has likewise been much abused by the philosophical Necessitarians, as if a motive were a *thing* that by impact communicates motion, instead of being a mere generic term. For what is a motive but a determining thought? and what is a thought but the mind thinking in this or that direction? and what is thinking but the mind acting on itself? A motive therefore - the mind in the act of self-determination; and thus the whole machinery that was to batten down free agency proves to be actually a definition of free agency.—S. T. C.

I mean by the former part of this note to say that a cause always supposes a co-existence, or at least a connaturality, with the effect. Thus we say, a cloud in a state of positive electricity in reference to another cloud, or to the earth, is the cause of lightning; but the lightning is that very electric fluid acting according to its essential law. Now by misapplying this word to the *All-Being*, have arisen the doubts and supposed contradictions in the idea of creation *e nihilo*. The ancients who deemed God the First Cause did none of them admit of absolute creation, a doctrine which Mosheim has proved peculiar to divine revelation. The important consequences have been ably shown by Garve.

In the succeeding note Coleridge continues to comment on the theory of causation. It is observable how entirely he differs from the school that insists on the necessity and universality of the law. Far from regarding an initial tendency of our own mind as having its correspondent in the external world, he will not even concede to the Volitionists that the law of cause and effect is an essential law of our own mental constitution. We cannot, however, agree with Coleridge in attenuating this imperial generalization, coextensive with all experience, into a mere logical arrangement of all sensuous impressions. Neither can we approve the magniloquent sentence, that "the godlike properties of limited space, that is, geometrical figures, are clear intuitions in which cause and effect do not exist." The laws of geometry, it is true, have a perfect invariability, but there is no divine mystery about them, for, as Mr. J. S. Mill explains, the various parts of space exist simultaneously, and by the very definition of their nature, as abstractions, are taken out of the category of counteracting and modifying causes. In the passage on the categories which follows, Coleridge is descanting on some variation of the Kantian scheme,

designed as a substitute for the old Aristotelian classification—an abortive attempt to *pigeon-hole* external realities. Kant, however, cannot be complimented on having succeeded where his greater predecessor failed. Not only is there no guarantee for the exhaustive virtue of these modern categories, but the division, though strictly formal, is tautological, the last member in each triple section participating in the character of the first and second members, or, in Coleridge's phrase, the first and second are thesis and antithesis, and the third the synthesis of both. Towards the close of this note occurs a most perverted representation of the psychology of Locke. Because that eminent thinker opposed, and victoriously opposed, the doctrine of innate ideas, limiting all our knowledge to experience, Coleridge affirms that Locke maintained not only that sensation was the origin of all our ideas, but, to use the critic's own picturesque metaphor, that "the soil, rain, and sunshine make the wheat-stalk and its ear of corn." Confused and hesitating in his psychological views Locke may have been, but Locke never taught that sensation was the source of all our ideas, but only of our simple ideas; much less did he teach that the mind was a development or refinement of sense. While declaring that the origin of all simple ideas is in sensation, Locke asserts there is another fountain, reflection, from which experience furnishes the understanding with ideas, and he expressly adds, that though it might properly enough be called internal sense, it is not sense, as having nothing to do with external objects.

P. 41.—I fear that I shall appear to you a vendor of wild paradoxes when I affirm it as my philosophical creed that the Law of Cause and Effect is a Law of the Human Reflection. I do not rank it high enough to call it even an essential Law of the Human Mind, but I am convinced it is no Law of Nature; the utmost that can be made out is, occasions, or the conditional Positions in which such and such phenomena can be manifested. In all clear Intuitions, as in the truly god-like properties of limited space, *i.e.*, geometrical Figures, Cause and Effect have no Being; and so it is in all physical knowledge in proportion as it is real knowledge, intuitive science, or, to borrow the great Hooker's words, "a direct or immediate Beholding." A sound Dialectic has taught me to reduce the Forms or Mode of action of the reflex Faculty to the three Categories of Quantity, Quality, and Relation; while Modality is the Syllepsis of the Three, considered as possible, as real, or necessary; and in all the Categories it is noticeable that the first and second are Thesis and Antithesis, and the third, the Synthesis of both. Thus the real is opposed to the possible, while the necessary is the union of both, that which is not possible not to be real. So in the Category of Relation—1. Substance; 2. Accident = Action and Reaction; 3. Cause and Effect. This of itself might suggest the suspicion that it is a mental mechanism or form of logical arrangement of our sensuous representations. Long before Hume, and with far greater

insight, Berkley had reduced causes to mere signs. I mean material Causes, and Spinoza long before Berkley. I[n] short, I hold them as metaphors from the Causality of Thought, *i.e.*, the Will, imagined in Nature, not seen. But till Logic is studied in good earnest, and the whole system of Lockian pseudo-Psychology subverted, there is little chance of the philosophic truth being listened to. Locke's whole book (as far as it is different from Descartes) is one *Σοφισμα ερεποζητησεως*, the fallacy that the soil, rain, air, and sunshine, make the wheat-stalk and its ear of corn, because they are the conditions under which alone the seed can develop itself.

Up to this critical period (that of the Corn Law of 1815), Coleridge had abstained from the advocacy of Parliamentary Reform, under the impression that the ideal legislature which "adequately represents all the great component interests of the State," had been realized in the machinery of the British Constitution. In our next letter, he announces his conversion, justifying his change of opinion by the plea that the recent unpatriotic policy had demonstrated the untenability of his assumption. The sentiment on the *pain of inferiority* which succeeds the acknowledgment of his error testifies to the sweet and magnanimous nature of the writer, while the words which record his "devotion to the ever-living dead men of our Isle" thrill us as with a sense of a majestic presence. Of Malthus, whom he censures at the end of the letter, we could wish that he had spoken in less indiscriminating language. A contemporary poet, Shelley, while indicating his dissent from some of the inferences of that unpopular economist, wrote in a very different spirit:—"Malthus is a very clever man, and the world would be a great gainer if it would seriously take his lessons into consideration."

"Calne, Monday morning.

"I missed the opportunity of sending the parcel on Saturday by an hour, and without affectation I did not think the contents of the enclosed letter justified the expense of postage. If you should have time to look over Dr. Williams's large work, in addition to what I have remarked in the slips of paper, you will not fail to observe a sophism grounded on the admitted fact of the incapability to act aright in minds habitually vicious. This we all know constitutes the difference between a crime and a vice; and makes the latter, even though comparatively trifling in each individual act, more hopeless, and therefore a deeper evil, than any single crime, however great, if only it be not such as involves as the condition of its possibility a prior vicious habit. This I long ago observed is the dire curse of all habitual immorality, that the impulses wax as the motives wane. Like animals caught in the current of the sea vortex (such as the Norwegian Mael-

strom), at first they rejoice in the pleasurable ease with which they are carried onward, with their consent yet without any effort of their will; as they swim the servant gradually becomes the tyrant, and finally they are sucked onward against their will—the more they see their danger, with the greater and more inevitable rapidity are they hurried towards and into it. Now from this fact Dr. Williams deduces that the inability to will good is no excuse for not doing so, in and without reference to the origin of the inability, forgetting that our conscience never condemns us for what we cannot help, unless this ‘cannot in presenti’ is the result of a ‘would not’ a *præterito*; all moral evil is either *cum voluntate* or *de voluntate*. N.B., a voluntary *causata* is a contradiction, unless as *causa sui*. Take Dr. Williams’s own instances. Suppose the man stated as wholly incapable of loving God to have been created with this incapability, and you no more blame him than you blame a rattlesnake for his poison. All law, human and divine, acknowledges this distinction, as in the criminality of murder committed in drunkenness, and the impunity of the same act committed in madness. I have inclosed my ‘Fears in Solitude,’ with two other poems written in 1798, which, as I hope to present Mrs. Brabant with my poems collectively, I could wish you to present in my name to Miss Hillier as a mark of my respect. You cannot conceive how this Corn Bill haunts me, and so it would you, if you had seen the pale faces and heard the conversation of the hundred poor creatures that care to sign the petition. Except Horner, every one of the opponents of the measure has betrayed the cause. Baring the least indeed, but even he has not stood firm. The North is in a flame; the result will be a league between the Ministry and the Law Nabobs not to disband the soldiery. I have hitherto in the *Friend*, in the *Morning Post*, and the *Courier*, and in conversation, opposed the so-called Parliament Reformers. I have not altered my principles, yet now I must join in pleading for Reform. I assumed as the ideal of a legislature that in which all the great component interests of the State are adequately represented, so that no one should have the power of oppressing the others; the whole being in sympathy of action and reaction with the feelings and convictions of the people. I now see that this is not the case, and I see the historical cause too. Neither Blackstone nor Delolme have truly given the theory of our Constitution, which would have been realized in practice but for two oversights. But of this hereafter. I have no opportunity of seeing any of the shoal of pamphlets on the question, but I suppose the speeches in Parliament contain the essence. If so, God have mercy on the intellects of the nation! How, indeed, can it be otherwise with such edu-

cations as our gentlemen receive? I have often heard of the pain of Inferiority; this I could never understand. I have often enough met my superiors—some in all things, many in many things—and God knows the feeling was so delightful that it has not seldom tempted me to overrate persons or compositions of my contemporaries, and thence it is that I devote myself almost entirely to the works of the great ever-living dead men of our Isle, or to the writings of the Germans, who appear to me—I mean the learned public of Germany—a full century before the Scotch or English. To hear Malthus quoted as an oracle in a British Senate! Stupid, hard-hearted blunders engrafted on pedantically disguised and yet falsely worded truisms! Ubi non Fur ibi stultus is my character of his Reverence Mr. Malthus.

“My kindest respects to Mrs. Brabant and her sisters, and affectionate endearments to your little ones.

“S. T. COLERIDGE, Calne.”

We have seen that the *Remorse* was acted at Calne in the year 1813. In 1815 Mr. Falkner, the manager of the company then playing in that quiet country town, was anxious to “try his luck at Devizes,” and Coleridge, in a letter which has the exceptional merit of a date, recommends the manager and his troop, on moral as well as on artistic grounds, and solicits his friends’ interest in their behalf. Perhaps the evident enthusiasm of the writer in Mr. Falkner’s cause, was rendered increasingly ardent by the prospect of a provincial revival of the *Remorse*. The judgment which Coleridge passes on theatrical amusements generally, and the wittily expressed argument of another poet, Mr. Bowles, who concurred in that judgment, will be welcome to the play-loving world. Montanus, on whom the sprightly churchman deals so hard a blow, far from referring his inspiration to the sinister source from which Canon Bowles derived it, identified himself as a vehicle of the Divine with the power which he represented. The Montanists were the latter-day saints of the second century, and Montanism affected to be a revival of ancient faith and discipline. It announced an approaching millennium, and depicted its details in vivid colours. It boasted of the possession of the prophetic gift, the characteristic of early Christianity, and promised its votaries the plenitude of inspiration reserved for the closing period of the world. Tertullian describes one of the ecstatic sisters of this sect, in language which recalls the mesmeric clairvoyante of our time, for she is said to have conversed with angels, divined men’s thoughts, and prescribed medicines. This celebrated father of the church was himself a Montanist, believing that the splendour of spiritual

illumination increased in proportion to the proximity of the day of doom. In the influence of the vigorous asceticism which distinguished these fanatical millennarians, this churchman of the second century, unlike the churchman of the nineteenth, ascribed the genius for dramatic representation to the demons. With him the theatre was the shrine of Venus and the house of Bacchus, two particularly objectionable Pagan deities. In his vehement philippic on public shows he not only denounces theatrical performances, but looks forward to that great celestial "spectacle," the appearance of the New Jerusalem, then, as he believed, so near at hand, and portrays himself in anticipation as wondering, laughing, rejoicing, and exulting when that happy time arrives in which poets shall tremble before a more awful tribunal than that of Rhadamanthus; tragic actors be more readily heard, because their cries will be occasioned by no fictitious sorrow, but real affliction of their own; and players be more easily recognised, because more dissolute than ever when dissolved by fire. If Tertullian includes the poets in his list of reprobates, it is presumable that, could he have foreseen the legislation of Julian, he would hardly have objected to the edict to which Coleridge refers. On his attainment to imperial power the "Apostate," as he was called, while promising the Christians full toleration, forbade them to appear as public teachers of the national literature. His sole motive, according to Sozomen, a historian of the fifth century, was to prevent the children of Christian parents from prosecuting studies conducive to the acquisition of argumentative and persuasive power, and thus to insure the intellectual degradation of his Christian subjects. That Hellenic science and art may be taught independently of Hellenic religion, and thus are part of the rightful inheritance of the human race, is the modern philosophical conclusion; but it was not the point of view of Julian, nor was it the legitimate point of view of the Christians themselves in his day, for, holding Paganism to be the creation of the evil spirit, they were logically bound to regard Pagan literature also as the product of diabolical inspiration. Julian's motive has been misconstrued by Sozomen. As an adherent of the old Pagan religion, Julian naturally desired that the sacred national literature should not be profaned by the contradictory and scoffing interpretation of Christian rhetoricians and grammarians. While, therefore, he closed the schools of Christian instructors, he invited the young followers of the Cross to study ancient literature under heathen preceptors. This is the truer view adopted by Gieseler and Baur, who are not to be suspected of any desire to vindicate the retrograde Emperor at the expense of Christianity. The edict of Julian, if Sozomen may be accepted as a critical authority, had one happy effect. It was the occasion [Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. BB

of a prodigious development of poetical genius. To supply the place of the classical literature of which the Christians were deprived by the prohibitory edict of Julian, Gregory Nazianzen composed a tragedy entitled "Christ Suffering;" at least it is found among his works, and is the play to which Coleridge makes his triumphant appeal. Apollinaris of Laodicea, assisted by his son, the Bishop of that see, completely eclipsed Gregory's poetical star, for he produced a work in heroic verse on the Antiquities of the Hebrews from the Creation to the Reign of Saul, far superior to the epics of Homer. He also wrote comedies in imitation of Menander—tragedies which resembled those of Euripides, and odes on the model of Pindar. In short, says the delighted Sozomen, were it not for the extreme partiality with which the productions of antiquity are regarded, I doubt not but that the writings of Apollinaris would be held in as much estimation as those of the ancients. Had some dim intimation of the indirect results of Julian's edict, and its direct provisions as regarded the instruction of the young generation, reached Lord Kenyon when charging a jury, and enumerating the many celebrated men who had been Christians, he continued, as Coleridge or Mr. Allsop assures us: "Above all, gentlemen, need I name to you the Emperor Julian, who was so celebrated for the practice of every Christian virtue that he was called Julian the *Apostle*?"

"MY DEAR SIR,—Mr. Falkner, the manager of the company now at Calne, takes with him to-morrow several letters of introduction from our most respectable inhabitants, and I am myself so well satisfied, both with the professional talents of his company and their regularity and moral deportment, that I have not thought myself justified in denying him a few lines to you. Whatever objections serious persons may justifiably have to theatres in great cities, these cannot at all apply to occasional plays in towns like Calne and Devizes. No allurements to vice are held forth; no vicious women collected; and if there be any who think a play under all circumstances a sin, I would recommend them to consider whether to force their own consciences, or those of a whole town who have no such scruples, does not savour of intolerance and spiritual tyranny; and secondly, that Gregory Nazianzen himself wrote a tragedy during Julian's interdiction, in order that Christians might not be wholly deprived of the innocent pleasures derived from the drama; and (to adopt the equally just as witty remark of our friend Mr. Bowles) St. Paul, who was inspired by God, did not forbid the attendance in the theatre during his abode at Athens, and Montanus, who was inspired by the devil, did forbid it.

"The same persons who think ill of theatres in any shape pro-

fess to think as ill of balls and assemblies, and yet they do not deem themselves authorized to keep the heels of all the young beaux and belles of a neighbourhood in a state of holy stillness against their own will. I myself disapprove of the *habit* of attending theatres in young persons, as undomesticating the disposition, and tending to render them too dependent on foreign and strong stimuli for their amusement. But in the present case the danger is out of the question, and, at all events, those who would go to the play if there were a play to be gone to, cannot be injured by going, and may be improved. It is greatly to the praise of the manager that every line that even borders on indelicacy, every indecorous or irreverent word, is omitted in the acting, and Mr. Falkner makes himself responsible for all debts contracted by his company. He is about to bring out the 'Remorse.'

"If you can exert any influence in procuring permission for him to try his luck at Devizes, I assure you you will be serving a deserving man. On my conscience, they appear to me to act just as well as those on the London stage; indeed, far beyond my expectation.

"Present my affectionate and respectful remembrances to Mrs. Brabant and sisters. I wish every good wish for you and yours.

"Believe me, my dear Sir, sincerely yours,

"S. T. COLERIDGE.

"Thursday, 22 June, 1815."

In the following letter, distinguished, like the foregoing, by a precision of date for which we are grateful, we see how the Recluse of Calne employed himself in the early days of July, in the year rendered for ever memorable by the crowning victory of Waterloo. The "*Biographia Literaria*," which contains the criticism on Wordsworth's poems touched on in the letter, was published in the year 1817. There is to us an interest as well as grace in the complimentary assurance that while expanding his critical disquisition Coleridge had especially contemplated its perusal by his correspondent challenging his verdict, as it were, on the solidity of the foundation stones of the construction of Dynamic Philosophy which he opposed to the merely Mechanic Philosophy. Agreeing with Wordsworth in his demand for a reformation of poetic diction, Coleridge protests against Wordsworth's errors of defect or exaggeration, objecting to the individual and local vulgarisms which Wordsworth's preference for the "real language of men" tended to consecrate, and maintaining that the common language which alone is identical with poetic diction, the natural language of impassioned feelings, is not to be found in any one rank, high or low, but is the current language of all ranks. In this vindication of the rights of uni-

versal language against the pretensions of a provincial dialect, illustrated by the offensive parochialisms of Wordsworth, Coleridge appears to have been more successful than in the philosophical exposition into which he afterwards deviates. An inaccurate memory has conspired with metaphysical prejudice to produce a singular misrepresentation of the views of two eminent men,—Coleridge denying to Hobbes a merit undoubtedly his due, to attribute to Descartes an honour to which he was assuredly not entitled. This singular miscarriage of memory occurs in a discussion on the Law of Association, the application of which was confined by Aristotle, its earliest propounder, exclusively to the phenomenon of recollection. Sir James Mackintosh, whom Coleridge had provoked into controversy, exposed in a note to his “Dissertation on the Progress of Ethical Philosophy,” some of the poet’s inaccuracies. In correction of the misstatement that “Hobbes built nothing on the principle which he had commenced,” Mackintosh observes—“If Mr. Coleridge will compare the parts of Hobbes on Human Nature which relate to this subject, with those which explain general terms, he will perceive that the philosopher of Malmesbury builds on these two foundations a general theory of the human understanding, of which reasoning is only a particular case.” In reply to the assertion that Hobbes was anticipated by Descartes in his “Discourse on Method,” Sir James declares—“I have twice re-perused that work in quest of this remarkable anticipation. My labour has, however, been in vain. I have discovered no trace of that or of any similar speculation.” In Mr. J. S. Mill’s account of the development of the Association Theory, in his preface to the new edition of Mr. James Mill’s “Analysis of the Human Mind,” we have a true statement of the case:—“Aristotle, Hobbes, and Locke, the real founders of the Experimental Philosophy of Mind, have all left their names identified with the great fundamental law of Association of Ideas; yet none of them saw far enough to perceive that it is through this law that experience operates in moulding our thoughts and forming our thinking powers. Dr. Hartley was the man of genius who first clearly observed that this is the key to the explanation of the more complex mental phenomena, though he, too, was indebted for the original conjecture to an otherwise forgotten thinker, Mr. Gay.” Hartley, whom, in his “Religious Musings,” Coleridge had pronounced wisest of mortal kind, and had celebrated as the “first who marked the ideal tribes up the fine fibres through the sentient brain,” is found in this letter in juxtaposition with Aristotle. Coleridge’s strictures in the “*Biographia Literaria*” are principally directed against Hartley’s doctrine of Vibrations. The hypothesis is allowed to be pre-

mature, and the book is described by Mr. J. S. Mill as made up of hints rather than proofs. A similar judgment is pronounced by Mr. Lewes, who, however, applauds Hartley, not only for the services that he rendered in establishing the Law of Association, but for his application of it to "those philosophical phenomena which still interest and perplex philosophers—namely, the voluntary and involuntary actions." In his "*Biographia Literaria*," Coleridge intimates an intention to exhibit the processes by which the Associative Power becomes either memory or fancy, and to appropriate the remaining offices of the mind to the reason and imagination. He defines Fancy as the aggregative or associative power; Imagination as the shaping or modifying power; and after promising a *Logosophia* in three treatises, and surprising us with a fragment of the Dynamic Philosophy on the interpretation of two inexhaustibly re-ebullient forces, fairly breaks down in his speculations on the Esamplastic Power, and vanishes in a beautiful Coleridgean mist, in which the Imagination is magnified into a twofold essence, creative and imitative, and the Fancy figures as "a mode of Memory emancipated from the order of space and time."

"Saturday, 29 July, 1815.

"MY DEAR SIR,—The necessity of extending what I first intended as a preface to an *Autobiographia Literaria*, or Sketches of my literary life and opinions, as far as poetry and poetical criticism are concerned, has confined me to my study from eleven to four and from six till ten, since I last left you. I have just finished it, having only the correction of the MS. to go through. I have given a full account (*raisonné*) of the controversy concerning Wordsworth's Poems and Theory, in which my name has been so constantly included. I have no doubt that Wordsworth will be displeased, but I have done my duty to myself and to the public, in, as I believe, completely subverting the theory and in proving that the poet himself has never acted on it except in particular stanzas, which are the blots of his composition. One long passage, a disquisition on the powers of Association, with the history of the opinions on this subject, from Aristotle to Hartley, and on the generic difference between the faculties of Fancy and Imagination, I did not indeed altogether insert, but I certainly extended and elaborated with a view to *your* perusal, as laying the foundation stones of the Constructive or Dynamic Philosophy in opposition to the merely Mechanic. But I am running on as usual, and shall not leave space enough for the purpose of this note if I do not, like the skater, strike a stop with my heel. I have just received a polite invitation from the Marquis and Marchioness of Lausdowne to dine with them on Monday; and in Calne I cannot purchase a pair of

black silk stockings worth having. I therefore take the liberty of requesting Mrs. B. to purchase a pair for me at Devizes of the larger size and weight—from 17 to 20 shillings—should this note reach you in time, and an opportunity be likely to occur for sending them to Calne, so that I might receive them before four o'clock on Monday afternoon. And at the same time I would thank you to procure for me at Anstie's a quarter of a pound of plain Rappee, with half an ounce of Maccabo* intermixed.

"As soon after next week as you and Mrs. B. should find it convenient I propose to spend two or three days with you—should William not have been sent off to school—and, bringing my papers with me, endeavour to put Mrs. B. and her sister in full possession of my plan for the elementary instruction of children in the Latin or Greek, and at the same time I will thank and settle with Mrs. B. for the commissions with which I have taken the liberty to trouble her.

"Believe me, my dear Sir,

"With great and affectionate esteem, yours,

"S. T. COLERIDGE

"P.S.—Should it be convenient to you for me to pay you a visit the week after next, might I venture to request that it might be entirely to you and your family."

"Field's Church," a book of which we can learn nothing, seems at this time to have awakened an interest in the mind of Mr. Lisle Bowles, of Coleridge, and of his correspondent. Coleridge, we have seen, had been influenced in his selection of Calne as a residence by the prospect of enjoying the congenial society of an author whose poems he characterizes as "descriptive, dignified, tender, and sublime." With Mr. Bowles's predilection for poetic meditation a private tradition associates an absence of mind which sometimes showed itself in an amusing form. On one occasion when Mr. Bowles should have been seated comfortably at the table of his accomplished host, he was engaged in a furious hunt after a black silk stocking which had unaccountably disappeared. The mystery was at length explained by the discovery that Mr. Bowles had innocently invested one leg with the habiliments which a due appreciation of the logic of design would have naturally disposed him to divide between both. On another occasion, having alighted from his pony at a cottage on the roadside, he forgot to remount him, and, plodding his poetic way on foot to the next toll-bar, offered, with that beautiful unconsciousness which is the accompaniment of true genius, the customary tribute to the astonished gatekeeper.

Many years before the date of the present letter, Coleridge,

* *Maccoboy.*

then in the first flush of his democratic enthusiasm, was lecturing at Bristol. The sentiments which he then expressed proved so repugnant to a portion of his audience that the usual sibilant manifestations of popular dissatisfaction rose above the noisy applause of sympathizing supporters. When at length the double tumult subsided, Coleridge electrified the meeting by exclaiming—"I am not at all surprised, when the red-hot prejudices of aristocrats are suddenly plunged into the cool waters of reason, that they should go off with a hiss." The same chemical metaphor reappears, with some variation and with a different application, in the remarks on the fashionable creed which the writer of this letter places in unfavourable contrast with the earnest religious faith of the late esteemed clergyman of All-Cannings:—

"Calne, Monday Afternoon.

"DEAR SIR,—On Wednesday I dine at Brommam* (how I spell the name I know not), and shall probably sleep there, as I understand that I shall not be above three or four miles from Devizes, and may perhaps have an opportunity of being driven in thither. I would not miss the opportunity of renewing our intellectual intercourse if I were assured that you were likely to be at home, and as much disengaged as a medical man can be on Thursday. Yet I fear that this note will reach you too late for an answer, unless it could be sent to Brommam, to Mr. Hales, for me.

"Mr. Bowles has been wishing to take some extracts from 'Field's Church,' but do not send back the book unless you have satisfied yourself with it. In my own convictions I am nearer Mr. T. Methuen's creed than the fashionable one of the sober-in-the-way-of-preferment churchmen, who hold the doctrines of Athanasius in the spirit of Socinus, and contrive, like the oxy-muriate of potash when it meets with the sulphuric acid of Interest to blaze as Christians, in the water of *worldly* plain sense. But the misfortune is that the Evangelical clergy, who are really saving the Church, are too generally deficient in learning, both historical and metaphysical, and in consequence take weak positions and neglect the most impregnable.

"I ventured to advise Mr. T. M. to draw up a *Professio Fidei* of an Evangelical clergyman,—1. What he does believe. 2. What he does not believe. 3. And why. 4. And by what authorities confirmed,—so as to prove his faith to be that which was common to all the great Reformers, and continued to be the faith of the Church of England universally till the appearance of a semi-Romanism at the close of the reign of James the First. The main point would be to prove wherein Arminius actually differed from *all* the first Reformers—Luther, Calvin, *Æcolam-*

* Bromham.

padius, Melancthon, Zuinglius, and the framers of our Articles and Homilies!—then wherein Grotius still further seceded than Arminius, so as to approximate at once to the Romanists and the Socinians, yet keeping a plausible distance from both; and finally, to prove that in essentials and in spirit the faith of the *sober* *Episcopatus nolens volens* clergy is a *Religio Grotiana*.

“S. T. COLERIDGE.”

(*To be continued.*)

ART. II.—AMERICAN SOCIALISMS.

History of American Socialisms. By JOHN HUMPHREY NOYES. Philadelphia and London: 1870.

MR. NOYES is regarded as something of a prophet in his own country, and is not quite a stranger to us on this side of the Atlantic. With the leading incidents of his career and the principal results of his labours it is probable that most of our readers have already become acquainted in the fluent and graphic pages of Mr. Hepworth Dixon's “*New America*,” or “*Spiritual Wives*.” In turn a graduate of Dartmouth College, in New Hampshire; a lawyer's clerk at Putney, in Vermont; a Revivalist student at Andover, Massachusetts; a Congregational preacher at Yale College, New Haven; a seceder, an outcast, and an agitator,—he is now, in the fifty-ninth year of his age, the patriarch of the family of Perfectionists, or Bible Communists, settled at Oneida Creek, in the State of New York. By his followers he is acknowledged to be a seer, a revelator, and a saint, in the enjoyment, as Mr. Hepworth Dixon tells us, of “light from heaven and personal intimacies with God.”

But what, to profane outsiders at all events, may appear to be of more immediate importance in connexion with the volume before us, is that Mr. Noyes is himself the founder of one of the most successful of those “*American Socialisms*,” as he is pleased to designate them, towards which on the present occasion he has assumed the office of historian. It is true that the Oneida Community has existed for only about twenty years, and that its original projector is still its presiding genius. To a cautious observer, therefore, it may seem to be full early for the formation of a decided opinion on its inherent powers of endurance or its ultimate chances of perpetuity. As yet, however, it has mani-

feared no serious symptoms of approaching dissolution, and we believe it has already lasted longer than any other association of a similar kind in which the unadulterated principles of Communism have been acted upon to an equal degree.

Under these circumstances it cannot be denied that Mr. Noyes has peculiar claims to "speak as one having authority" on the subject to which this work relates. If, according to the critical maxim of Pope, it is allowable in those to "censure freely who have written well," it is assuredly permissible in the patriarch of Oneida Creek, whose efforts as a social innovator have been attended by such signal success, to employ his leisure moments in dissecting the schemes and exposing the practical miscarriages of his less able or less fortunate predecessors and rivals in the same field of speculation and enterprise. As he says in his preface :—

"It is certainly high time that Socialists should begin to take lessons from experience, and for this purpose that they should chasten their confidence in flattering theories, and turn their attention to actual events. This country (the United States) has been from the beginning, and especially for the last forty years, a laboratory in which socialisms of all kinds have been experimenting. It may safely be assumed that Providence has presided over the operations, and has taken care to make them instructive. The disasters of Owenism and Fourierism have not been in vain; the successes of the Shakers and Rappites have not been set before us for nothing. We may hope to learn something from every experiment."

We will not attempt to follow Mr. Noyes into his conclusions with respect to the Divine intentions and designs. But, confining ourselves to the purely human aspect of the case, we are willing to admit that it is a laudable act on his part to endeavour to render the varied experience, whether of himself or others, effectually available by means of comparison and contrast for the encouragement or warning of those choice and sanguine spirits who may hereafter feel themselves moved to embark in the wide, perilous, and perhaps thankless undertaking of reforming the moral sentiments, and reorganizing the social relations of mankind.

We regret to say that Mr. Noyes has performed the task he has imposed upon himself in a manner which is not altogether satisfactory. In point of fact, it has rarely fallen to our lot to be much more disappointed in a book than we have been in this one of his. We did not anticipate that it would be distinguished by any extraordinary scientific value or literary merit. We were aware that it was the work neither of a philosopher nor of a scholar. We did not look to it for a pattern of sustained logical power, or classical purity of diction. We were even prepared to

find that the illumination of the prophet had obscured the reason of the man, and that the ardour of the preacher had interfered with the accuracy of the writer to a greater extent than we are pleased to perceive that they have done. But we expected at the least, and, we are sorry to add, groundlessly, that Mr. Noyes would have exercised some judgment in the selection, and would have bestowed some care on the arrangement of his matter. Above all, we imagined (only to be again mistaken) that whatever the defects of his performance might be, dulness would not have been discovered among the most conspicuous of its faults.

That it should be dull, however, is a necessary consequence of the mode in which the history has been manufactured—for we can employ no better term to indicate the process of its production. It appears that, many years ago, a Scotsman, by name Macdonald, emigrated from his native country to the United States, with the view of joining one or other of the "Communities" which the once celebrated Robert Owen had been instrumental in founding in the Far West. "But finding," Mr. Noyes says, "Owenism in ruins, and Fourierism," which had succeeded it in popular favour, "going to ruin," he determined to write a book "that should give future generations the benefit of the lessons taught by these attempts and failures." In collecting the requisite information, Macdonald spent about ten years, and, in the course of them visited Mr. Noyes on several occasions. "The sad scenes he had encountered," remarks the latter, "while looking for the stories of so many short-lived communities, had given him a tinge of melancholy. He was, indeed, the 'Old Mortality' of Socialism, wandering from grave to grave, patiently deciphering the epitaphs of defunct 'Phalanxes.'" Mr. Noyes adds that "his own attempt was a failure. He gathered a huge mass of materials, wrote his preface, and then died in New York of the cholera." This happened in 1854; and Macdonald's papers then passed into possession of his brother-in-law, from whom Mr. Noyes after a while obtained them. Their contents has supplied the bulk of the work now under review, which consequently can be accepted as its ostensible author's only in, we allow, the important sense that the MS. from which the greater part of the letterpress is copied was acquired by him without force or fraud from its legitimate owner or custodian.

The materials left by Macdonald consisted of longer or shorter records, varying from "a mere mention to a narrative of nearly a hundred pages," of no less than sixty-nine separate communistic or *quasi* communistic associations, existing at different periods in different parts of America. These communities may

be roughly divided into two classes, the secular and the religious—namely, those in which all kinds and varieties of theological belief or unbelief were either tolerated or ignored; and those in which the profession of a common creed constituted the principal bond of union between their members, and its propagation formed the primary object of their institution. Mr. Noyes, following Macdonald, traces the rise and progress of Secular Communism in the United States, to the influence of the Englishman Owen and the Frenchman Fourier.

“Robert Owen,” he says, “came to this country and commenced his experiments in Communism in 1824. This was the beginning of a national excitement which had a course somewhat like that of a religious revival or a political campaign. This movement seems to have culminated in 1826; and grouped around or near that year we find in Macdonald’s list the names of eleven communities. These were not all strictly Owenite communities, but probably all owed their birth to the general excitement that followed Owen’s labours, and may, therefore, properly be classified as belonging to the Owen movement. Fourierism was introduced into this country by Albert Brisbane and Horace Greeley in 1842, and then commenced another great national movement similar to that of Owenism, but far more universal and enthusiastic. We consider the year 1843 the focal period of this social revival, and around that year, or following it, within the forties, we find the main group of Macdonald’s associations. Thirty-four of the list may be clearly referred to this epoch. Many, and perhaps most, of them never undertook to carry into practice Fourier’s theories in full, and some of them would disdain all affiliation with Fourierism, but they all originated in a common excitement, and that excitement took its rise from the publications of Brisbane and Greeley.”

Of these forty-five Communities, or Phalanxes, the majority perished within a year or two of their formation; many of them did not last more than a few months, and only three survived for a period exceeding five years. Their fortunes and fate were essentially identical, and the continual repetition of the same tale, altered merely in respect of dates and names, becomes as we read sufficiently monotonous, not to say wearisome. A few generous enthusiasts embrace the fascinating notion of establishing a society which may serve as a model for the imitation of the rest of the human species, whence, by the very nature of its constitution, the ordinary evils of social existence—poverty, crime, disease—shall be necessarily excluded. They soon find themselves supplemented by a heavy contingent of (to adopt the words of Mr. Horace Greeley, quoted by Mr. Noyes) “the conceited, the crotchety, the selfish, the headstrong, the pugnacious, the unappreciated, the played out, the idle, and the good-for-nothing generally, who, discovering themselves utterly

out of place and at a discount in the world as it is, rashly conclude that they are exactly fitted for the world as it ought to be." The first cast their pecuniary means, the second little more than their moral support, into a common stock. They commence by acquiring as much land as they can obtain, usually far more than they can cultivate or are able to pay for. They build for their accommodation a triangular, quadrangular, rectangular, hexagonal, polygonal, or circular dwelling. They proclaim a community of goods, and perhaps a community of women. They start a daily, weekly, fortnightly, monthly, or quarterly organ, for the discussion and dissemination of their opinions. They announce the advent of universal philanthropy, equality, peace, and prosperity. And then they begin to squabble for authority and precedence among themselves; to fight with one another all round about religion, or politics, or some private and personal matter; to neglect their business in farm or factory; to run into debt, and to defraud their creditors. Finally, they resolve to separate, they do separate, and the association comes to an untimely and bankrupt end.

In his preface, reprinted in full by Mr. Noyes, Macdonald confesses that "at one time, sanguine in anticipating brilliant results from Communism, he imagined mankind better than they are;" and after the collapse of New Harmony, Robert Owen complains that "he wanted honesty, and he got dishonesty; he wanted temperance, and instead he was continually troubled with the intemperate; he wanted cleanliness, and he found dirt."

"The Yellow Spring community," says Mr. Noyes, "though composed of 'a very superior class,' found, in the short space of three months, that 'self-love was a spirit that would not be exorcised.' Individual happiness was the law of Nature, and it could not be obliterated: and before a single year had passed this law had scattered the members of that society, which had come together so earnestly and under such favourable circumstances, back into the selfish world from which they came. The trustees of the Nashoba community, in abandoning Francis Wright's original plan of common property, acknowledge their conviction that such a system cannot succeed 'without the members composing it are superior beings. That which produces in the world only commonplace jealousies and every-day squabbles, is sufficient to destroy a community.' The spokesman of the Haverstraw community at first attributes their failure to the 'dishonesty of the managers;' but afterwards settles down into the more general complaint that they lacked 'men and women of skilful industry, sober and honest, with a knowledge of themselves, and a disposition to command and be commanded;' and intimates that 'the sole occupation of the men and women they had was parade and talk.' The

historian of the Coxsackie community says, 'they had many persons engaged in talking and law making who did not work at any useful employment. The consequences were that after struggling on for between one and two years the experiment came to an end. There were few good men to steer things right.'

The Sodus Bay Socialists quarrelled about religion, and "when they broke up some decamped in the night with as much of the common property as they could lay hands on." One Owenite or Fourierist leader laments that "the theory of Communism could not be carried out in practice," that "the attempt was premature, and the necessary conditions did not exist;" a second, that his experiment was spoilt by "the want of common honesty" in his associates; a third, that "the timber he got together was not suitable for building a community,"—that, "though the men and women who joined him were very enthusiastic, and commenced with great zeal, their devotion to the cause seemed to be sincere, but they did not know themselves;" and a fourth, that his coadjutors were "ignorant of Fourier's principles, and without plan or purpose, save to fly from the ills they had already experienced in civilization; thus they assembled together such elements of discord as naturally in a short time led to their dissolution."

"The foregoing disclosures," Mr. Noyes observes, "of disintegrating infirmities were generally made reluctantly, and are necessarily very imperfect. Large departments of dangerous passion are entirely ignored. For instance, in all the memoirs of the Owen and Fourier Associations not a word is said on the 'Woman Question!' Among all the disagreements and complaints, not a hint occurs of any jealousies and quarrels about love matters. In fact, women are rarely mentioned; and the terrible passions connected with distinction of sex which the Shakers, Rappites, Oneideans, and the rest of the religious communities have had so much trouble with, and have taken so much pains to provide for or against, are absolutely left out of sight. Owen, it is true, named marriage as one of the trinity of man's oppressors, and it is generally understood that Owenism and Fourierism both gave considerable latitude to affinities and divorces; but this makes it all the more strange that there was no trouble worth mentioning in any of these communities about crossing love claims. Can it be, we ask ourselves, that Owen had such conflicts with whisky tippling, but never a fight with the love mania?—that all through the Fourier experiments men and women, young men and maidens, by scores and hundreds, were tumbled together into unitary homes, and sometimes into log cabins seventeen feet by twenty-five, and yet no sexual jostlings of any account disturbed the domestic circle? The only conclusion we can come to is that some of the most important experiences of these transitory communities have not been surrendered to history."

But in whatever form the bone of contention or apple of discord was thrown among them, this at least is certain, that of the eleven associations referred by Mr. Noyes to the "Owen Movement," and the thirty-four which he refers to the "Fourier Movement," Brook Farm, the experiment of Channing, Hawthorne, Theodore Parker, Margaret Fuller, and Ralph Waldo Emerson, "alone is reported as harmonious to the end."*

On passing from the Secular to the Religious class of "American Socialisms," we are immediately struck by the circumstance that while the former have almost invariably failed, the latter have almost invariably succeeded. For once, at any rate, the facts of history seem to be at variance with the theory of the sacred text, and the children of light appear to have been wiser in their generation than the children of this world. Several of the associations of which we now speak are really nothing more than European colonies, having, as Mr. Noyes says, "their origin in the old world, and most of them in the last century remaining without change, and existing only on the outskirts of general society," as isolated corporations in the United States of the present day. Of these the earliest was established by one Conrad Beizel, a German, at Ephrata, in Pennsylvania, as long ago as 1713. "The Bible was their guide, they had all things in common, lived strictly a life of celibacy, increased in numbers, and became very rich." After the lapse of over a century and a half it still retains its riches, although its numerical force is considerably reduced. In 1804, George Rapp, another German, founded a community, which,

* Mr. Noyes gives the subjoined statistical particulars of these Secular Socialisms. "The Owen group were distributed among the States as follows: In Indiana 4, in New York 3, in Ohio 2, in Pennsylvania 1, in Tennessee 1. The Fourier group were located as follows: In Ohio 8, in New York 6, in Pennsylvania 6, in Massachusetts 3, in Illinois 3, in New Jersey 2, in Michigan 2, in Wisconsin 2, in Indiana 1, in Iowa 1.

"The figures in our epitome, reckoning five persons to a family when families are mentioned, give an aggregate of 4801 members, but these belong to only twenty-five associations. The numbers of the remaining twenty are not definitely reported. The average of those reported is about 192 to an association. Extending this average to the rest we have a total of 8641. The members belonging to single associations vary from 15 to 900, but in a majority of cases they were between 100 and 200.

"The amount of land reported is enormous. Averaging as we did in the case of the number of members, we make a grand total of 136,586 acres, or about 3000 acres to each association! This is too much for any probable average. We will leave out as exceptional the 60,000 acres reported as belonging to New Harmony and the McKean Co. Association. Then, averaging as before, we have a grand total of 44,624, or about 1000 acres to each association. Judging by our own experience, we incline to think that this fondness for land, which has been the habit of Socialists, had much to do with their failures."—*History of American Socialisms*, pp. 18, 19.

after several removals, at last settled down at Economy, in Pennsylvania. Its doctrine and constitution are similar to those of the Ephrata community. Its members are all Germans, about 300 in number, and are described as remarkably industrious and wealthy. In 1816, Joseph Bimeler, a third German, led a colony of his countrymen to Zoar, in Ohio. They are said by the authority cited by Mr. Noyes* to be "Bible believers in a somewhat liberal style. They live, married or not, just as they choose; are well off, a good moral people, and number about 500." In 1846, Christian Metz, a fourth German, with his followers, founded another community near Buffalo, in New York.

"They called themselves the inspired people, and their colony Ebenezer. They believe in the Bible as explained by their mediums. Metz and one of his sisters have been mediums more than thirty years, through whom one spirit speaks and writes. This spirit guides the society in spiritual and temporal matters, and they have never been disappointed in his counsels for their welfare. They have been led by this spirit for more than a century in Germany. They permit marriage when, after application has been made, the spirit consents to it, but the parties have to go through some public mortification. In 1851 they had some thousands of members. They have now removed to Iowa, where they have 30,000 acres of land. This is the largest and richest community in the United States. One member brought in \$100,000, others \$60,000, \$40,000, \$20,000, &c. They are an intelligent and very kind people, and live in little comfortable cottages, not having unitary houses, as the other societies."†

In 1846, Erick Janson, a Swede, and his friends started a community at Bishop Hill, in Illinois. They likewise are Bible believers, do not prohibit marriage, but recommend celibacy, are well off, and are now over 800 strong.

The Shakers—although, like the Beizelians, Rappites, Zoarites, Ebenezers, and Jansonists, they were in the beginning a foreign colony—have become thoroughly naturalized in America. Their system—a compound of Bibleism, Revivalism, Spiritualism, Communism, and Asceticism—is in perfect harmony with all the leading, and to some extent antagonistic, abnormal "proclivities" of American thought and feeling. They are scattered over the United States in eighteen separate but allied associations, and at the census of 1860 they counted above 6000 members. With respect both to doctrine and practice, they are by far the most singular of American sectaries and socialists. At the same time they have always been, and still are, among the most influential of them.

* Jacobi's Synopsis, in the *Social Record*, p. 133.

† "History of American Socialisms," p. 136.

"The great facts of modern Socialism," Mr. Noyes asserts, "are these. From 1776, the era of our national revolution, the Shakers have been established in this country, first at two places in New York, then at four places in Massachusetts, at two in New Hampshire, two in Maine, one in Connecticut, and finally at two in Kentucky and two in Ohio. In all these places prosperous Religious Communism has been modestly, and yet loudly, preaching to the nation and to the world. New England and New York and the great West have had actual 'Phalanxes' before their eyes for nearly a century; and in all this time what has been acted on our American stage has had England, France, and Germany for its audience. The example of the Shakers has demonstrated not merely that successful communism is subjectively possible, but that this nation is free enough to let it grow. Who can doubt that this demonstration was known and watched in Germany from the beginning, and that it helped the successive experiments and emigrations of the Rappites, the Zoarites, and the Ebenezers? These experiments were echoes of Shakerism, growing fainter and fainter as the time-distance increased. Then the Shaker movement, with its echoes, was sounding also in England, when Robert Owen undertook to convert the world to communism; and it is evident enough that he was really a far-off follower of the Rappites. France, also, had heard of Shakerism before St. Simon or Fourier began to meditate and write Socialism. These men were nearly contemporaneous with Owen, and all three evidently obeyed a common impulse.* That impulse was the sequel, and certainly in part the effect, of Shakerism. Thus it is no more than bare justice to say that we are indebted to the Shakers more than to any or all other social architects of modern times. Their success has been the 'specie basis' that has upheld all the paper theories and counteracted the failures of the French and English schools. It is very doubtful whether Owenism or Fourierism would have ever existed, or, if they had, whether they would have ever moved the practical American nation, if the facts of Shakerism had not existed before them and gone along with them. But to do complete justice we must go a step further. While we say that the Rappites, the Zoarites, the Ebenezers, the Owenites, and even the Fourierists, are all echoes of the Shakers, we must also say that the Shakers are the far-off echoes of the Primitive Christian Church."

Accepting the orthodox Bible as the groundwork of their faith, the Shakers believe that their foundress, Mother Anne, was an incarnation of the Almighty, and the Mystical Bride of the Lamb mentioned in the Apocalypse. Anne Lee was a poor and illiterate person, born towards the latter end of the last century, and in her youth employed as a factory hand in Manchester. She became convinced that it was her appointed mission to "bear witness for the truth." It was her wont to preach in the open streets of her native town. On one occasion a tumult was raised by the unsympathetic crowd assembled to hear her. The constables interfered; she was taken into custody, and

lodged in the Bridewell. In the darkness of the night the cell in which she lay was strangely illuminated. The Saviour appeared before her in person, and, in some unexplained manner, became united with her in spirit. After she escaped from durance she lost no time in proclaiming the miracle which had been wrought upon her. She gathered round her a little knot of believers. An angel in attendance upon her directed her to shake the dust of Manchester from off her feet, and to cross the Atlantic in search of the Promised Land. With seven disciples—five men and two women—Mother Anne proceeded to New York, and fixed her residence in the backwoods of that State, at a place now famous under the name of Water Vliet, the parent settlement of the Shakers. About eight years after her arrival in America the prophetess died; but before her decease she had made many converts, and was enabled to provide for the future government of her church. The Shakers believe themselves still to be in almost constant communication with her, and receive frequent proofs of her unabated solicitude for their welfare. Mr. Noyes quotes largely from Macdonald's account of these remarkable people. The notice of them is the longest and fullest in the collection. The following is a description of their mode of worship:—

“At half-past seven P.M. on the dancing days, all the members retired to their separate rooms, where they sat in solemn silence just gazing at the stove, until the silver tones of a small tea bell gave signal for them to assemble in the large hall. Thither they proceeded in perfect order and solemn silence. Each had on thin dancing shoes, and on entering the hall they walked on tiptoe, and took up their position as follows: the brothers formed a rank on the right and the sisters on the left, facing each other, about five feet apart. After all were in their proper places the chief elder stepped into the centre of the space and gave an exhortation for about five minutes, concluding with an invitation to them all to go forth—old men, young men, and maidens—and worship God with all their might in the dance. Accordingly they ‘went forth,’ the men stripping off their coats and remaining in their shirt sleeves. First they formed a procession and marched around the room at double-quick time, while four brothers and sisters stood in the centre singing for them. After marching in this manner until they got a little warm they commenced dancing, and continued it until they were all pretty well tired. During the dance the sisters kept on one side and the brothers on the other, and not a word was spoken by any of them. After they appeared to have had enough of this exercise the elder gave the signal to stop, when immediately each one took his or her place in an oblong circle formed around the room, and all waited to see if any one had received a ‘gift,’—that is, an inspiration to do something odd.’ Then two of the sisters would commence whirling round like a top, with their eyes shut, and continued this motion for about fifteen minutes, when they

[Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. C C

suddenly stopped, and resumed their places as steadily as if they had never stirred. During the whirl the members stood round like statues, looking on in solemn silence."

It is pending this last part of the Divine Service that Mother Anne usually charges one or other of the officiators with any message she may wish to be given to the congregation.

"On such occasions, when a sister has done her whirling, she will say, 'I have a communication to make,' when the head eldress will step to her side and receive the communication, and then make known the nature of it to the company. The first message I heard was as follows: 'Mother Anne has sent two angels to inform us that a tribe of Indians has been round here two days, and want the brothers and sisters to take them in. They are outside the building there, looking in at the windows.' I shall never forget how I looked round the windows, expecting to see the yellow faces, when this announcement was made; but I believe some of the old folks who eyed me bit their lips and smiled. It caused no alarm to the rest; but the first elder exhorted the brothers to take in the poor spirits, and assist them to get salvation. He afterwards repeated more of what the angels had said, viz., that the Indians were a savage tribe who had all died before Columbus discovered America, and had been wandering ever since. Mother Anne wanted them to be received into the meeting to-morrow night."

In due course this was accomplished. The next evening, after the dancing was over, the doors of the hall were opened, the Indians were requested to enter, and the doors were shut again. The sister who had made the original announcement then said that she saw the strangers mingling with the brothers and sisters; and the chief elder followed her, by urging the duty of taking the Red-skins in.

"Whereupon," Macdonald says, "eight or nine sisters became possessed of the spirits of Indian squaws, and about six of the brethren became Indians. Then ensued a regular 'pow-wow,' with whooping and yelling and strange antics, such as would require a Dickens to describe. The sisters and brothers squatted down on the floor together, Indian fashion, and the elders and eldresses endeavoured to keep them asunder, telling the men they must be separated from the squaws, and otherwise instructing them in the rules of Shakerism. Some of the Indians then wanted some 'succotash,' which was soon brought them from the kitchen in two wooden dishes, and placed on the floor, when they commenced eating it with their fingers. These performances continued till about ten o'clock, then the chief elder asked the Indians to go away, telling them they would find some one waiting to conduct them to the Shakers in the heavenly world. At this announcement the possessed men and women became themselves again, and all retired to rest."

According to these "Believers in Christ's Second Appearing,"

as they call themselves, Heaven is a Shaker community on a large scale. Jesus Christ is the chief elder, and Mother Anne is the chief eldress. The buildings in which the brethren and sisters dwell are constructed of white marble, very sumptuous and of enormous size. They are surrounded by spacious gardens and orchards, perennially teeming with lovely flowers and luscious fruits, watered by sweet rivulets and sparkling fountains.* Outside this Paradise the ghosts of departed Gentiles wander on the surface of the earth, and to them missionary spirits are ever and anon despatched by Mother Anne and her celestial coadjutor. The labours of these missionaries are blessed with striking success, and they are constantly bringing in converted souls, to be participators in the heavenly community. The Emperor Napoleon I., and General Washington, with several officers of their respective staffs, were reported to have been admitted, while Macdonald was pursuing his inquiries. In the end the Shakers think all mankind will be saved. They have settled the "Woman Question" by the repudiating marriage and submitting themselves to a rigidly celibate *régime*. In the absence therefore of hereditary prejudice, that mighty factor in the stability of creeds, it is at first sight not a little surprising that their numbers should have advanced as they have done, and should advance as they do. But in the recurrent frenzy of the Revivals the Shakers find an ample substitute for it. Each of their unions represents one of these popular paroxysms, and, while they continue, it is probable that recruits will not be wanting for the saltatory regiments of Mother Anne.

Omitting a few attempts at communistic association connected with the Spirit Rapping mania, for an examination of which we have no space at our command, we come to the community at Oneida Creek. While Mr. Noyes, some forty years ago, was engaged as a lawyer's clerk at Putney in Vermont, the epidemic known as the "Great Finney Revival" broke out in the Northern States of the Union. He did not escape the prevalent contagion, became sadly troubled about the health of his soul, and commenced diligently to "search the Scriptures."

"Much study of the Bible," he says, "under the instructions of Moses Stuart, Edward Robinson, and Nathaniel Taylor, and under the continued and increasing influence of the Revival afflatus, soon landed him in a new experience and new views of the way of salvation which took the name of Perfectionism. The next twelve years he spent in studying and teaching salvation from sin chiefly at Putney, the residence of his father and family. His first permanent associates were

* All this, like St. John's materialistic image of the Heavenly Jerusalem, must be understood in a *spiritual* sense.

his mother, two sisters, and a brother. Then came the wives of himself and his brother, and the husbands of his two sisters. Then came George Cragin and his family from New York, and from time to time other families and individuals from various places."

A chapel was built for his use, and a printing-press was set up for the dissemination of his doctrines. As yet, however, the Perfectionists "were not in form or theory Socialists, but only Revivalists." Nevertheless, they watched the surrounding Communistic Movement, then in its Fourierist phase, with deep interest, and, from the publications which issued from Brook Farm in particular "they drank copiously of the spirit of Socialism." At last, as Mr. Noyes rather mildly phrases it, "they began cautiously to experiment in Communism." They purchased a house and farm near Putney, and all went to live there together. They cast out individual property and personal marriage from among them. They renounced their allegiance to the Federal Government, and formally withdrew themselves from the Union. They set aside all laws, whether human or Divine, as things appertaining to the old Adam, and no longer suited to them in their new state of grace. As they had returned to the primeval purity of our first parents before the Fall, it was clear that no ordinance grounded on the assumption that they were liable to the penal consequences of that stupendous catastrophe could be applicable to them. They ceased to practise any religious observances, or to respect any particular days. It was natural that their proceedings should attract a good deal of attention from their neighbours. The gossips circulated sad tales about them; and a domestic scandal, which terminated in a law-suit, fanned the smouldering dissatisfaction of the local public into a flame. The atmosphere of Putney soon became too warm for them. "In the fall of 1847," Mr. Noyes says, "when Brook Farm was breaking up, the Putney community was also breaking up, but in the agonies, not of death, but of birth. Putney conservatism expelled it, and a Perfectionist community, just begun at Oneida under the influence of the Putney school, received it."

At present the Oneida Creek Community consists of two hundred and two members. Affiliated to it is another community of forty members at Wallingford, Connecticut, and another of thirty-five members at Willow Place, on a detached portion of the Oneida domain. Their landed estate at Oneida comprises about six hundred acres of choice land, and at Wallingford they have about two hundred acres more. The three families, in all two hundred and seventy-seven persons, of whom the adults of each sex are nearly equal, and only six are children, are, as Mr. Noyes expresses it, "financially and socially a

unit." Unlike almost every other communistic association in America, they have made their agricultural entirely subsidiary to their industrial pursuits. They are manufacturers in iron, silk, and lumber, and their nett earnings for the last ten years have averaged \$18,000 per annum, and for the last two years \$38,000 per annum. Mr. Horace Greeley was therefore quite justified in telling Mr. Hepworth Dixon that he would "find Oneida Communism a trade success."

The religious theory of the Perfectionists has been expounded in a work entitled "The Berean," printed at Putney in 1847, and their social theory in another, entitled "Bible Communism," published at Oneida in 1848. In his present book Mr. Noyes has confined himself to extracts from these two compositions. But although he treats of his religious and social doctrines separately, they are intimately connected the one with the other. As he himself says:—

"The regeneration of the soul," and "the regeneration of society," must go hand in hand together. The "two ideas are the complements of each other. Neither can be successfully embodied by men whose minds are not wide enough to accept them both. In fact, these two ideas, which in modern times are so wide apart, were present together in original Christianity. When the Spirit of Truth pricked three thousand men to the heart and converted them on the day of Pentecost, its next effect was to resolve them into one family, and introduce communism of property. Thus, the greatest of all Revivals was also the great inauguration of Socialism."

In common with the Shakers, the ancient Assyrians, and the modern Hindoos, the Perfectionists believe the Divine Triad to be both male and female, or, so to speak, hermaphrodite. They maintain that the second coming of the Messiah took place about seventy years after his first advent, and that the Millennium is past. The victory of Christ over sin and the devil is being gradually accomplished, and when achieved will result in the abolition of bodily disease and physical death. The true believers are under the immediate guidance of the Holy Ghost, and are consequently sinless. They are neither to fast nor pray, but to eat, drink, love to their hearts' content, and make themselves generally comfortable. All property is to be assigned to Christ, and the use of it only is to be reserved for those who are united in Him. In like manner all men and women who are united in Him are married to each other, as well in a carnal as in a spiritual sense, and any children that may be born to them are the children of each and all of them alike.

"In the kingdom of Heaven," which the Perfectionists imagine they are establishing on earth, says Mr. Noyes, "the institution of marriage, which assigns the exclusive possession of one woman to one

man does not exist. In the kingdom of Heaven the intimate union of life and interest, which in the world is limited to pairs, extends through the whole body of believers, i.e., complex marriage takes the place of simple. Christ prayed that all believers might be one, even as He and the Father were one. His unity with the Father is defined in the words 'All mine are thine, and all thine are mine.' This perfect community of interests then will be the condition of all when His prayer is answered. The universal unity of the members of Christ is described in the same terms that are used to describe marriage."

And he continues :—

"The amative and propagative functions are distinct from each other, and may be separated practically. They are confounded in the world, both in the theories of physiologists and in universal practice. The amative function is regarded merely as a bait to the propagative, and is merged in it. But amativeness is the first and noblest of the social affections, and the propagative part of the sexual relation was originally secondary, and became paramount by the subversion of order in the Fall, and we are bound to raise the amative office of the sexual organs into a distinct and paramount function."*

But although the Perfectionists are theoretically incorporated in "complex marriage," the intercourse of individuals of the opposite sexes among them is practically subjected to considerable restriction. In the system of "Free Criticism" they have devised a means of bringing the public opinion of the community to bear with the force of law upon the conduct in this and every other respect, of each brother and sister. They are in the habit of meeting together as occasion may require, and deliberately expressing their views in the form of a debate on the shortcomings or backslidings of any member of the family who may have become obnoxious to any other. The accused is not permitted to reply at once, but after an interval a written answer to the charges brought against him or her, usually a humble acknowledgment of the imputed faults, is received and read. Some such mode of correction is perhaps necessary to maintain order under existing arrangements, but is unquestionably susceptible of being employed as an instrument of the cruellest social persecution. It is obviously borrowed from the "Church Discipline," in vogue among certain of the Dissenting Bodies, "a mutual tyranny," as W. J. Fox has described it in one of his "Finsbury Lectures," "which is continually bringing a man under examination and censure for the most trifling concerns, and for concerns in which no one has a right to interfere with

* Mr. Noyes proposes to accomplish this by a system of "Male Continence," which is anticipated and fully explained in Mr. Robert Dale Owen's "Moral Physiology."

any other, issuing its fulminations at the cut of a coat or the colour of a ribbon, and so descending to minute particulars that some present could tell of a church in this metropolis where a man has been lectured till the tears rolled down his cheeks, on the sinfulness of taking two spoonsful of brown sugar with one plate of gooseberry tart."

The principles with regard to the sexual development of their "complex marriage," upon which the Perfectionists proceed, are these: first, there must be a contrast in the temperaments, complexions, or ages of the parties—the warm must mate with the cold, the dark with the fair, the young with the elderly, the last provision being decidedly advantageous to Mr. Noyes and his early disciples, who are verging towards "the sere and yellow leaf;" secondly, there must be no exclusive attachment between the parties; thirdly, there must be no compulsion; and fourthly, it is indispensable that the intended connexion should be proposed through the agency of a third person, as a security that the matter may be known to and discussed by the rest of the family.

Here we take our leave of Mr. Noyes, and in doing so prefer to keep our candid opinion of him to ourselves. We have been induced to notice his work, because if we may rely upon the signs of the times, the unspeakably important problems which they have been attempting to solve in the United States for nearly half a century are those for which we ourselves at no distant period shall be compelled to seek a practical solution. The institutions of property and marriage are certainly not more oppressive and pernicious in their consequences in the New, than they are in the Old World. But the question has yet to be settled whether the evils generally allowed to be attendant on them as they are at present established and understood, are necessarily or only accidentally connected with them. We believe that the distribution of wealth, and the relations of the sexes, might and will be governed by laws and usages far more just and rational than any of those which now prevail, or have ever prevailed among the children of men. But we must say that we have derived no hint of what these laws and usages of the future ought to be from Mr. Noyes's "*History of American Socialisms.*"

ART. III.—THE PARAGUAYAN WAR.

1. *The War in Paraguay.* By GEORGE THOMPSON, C.E., Lieutenant-Colonel of Engineers in the Paraguayan Army, Aide-de camp to President Lopez, Knight of the Order of Merit of Paraguay, &c. London: Longman, Green, & Co. 1869.
2. *Seven Eventful Years in Paraguay.* By GEORGE FREDERICK MASTERMAN, late Assistant-Surgeon, Professor of Materia Medica, Chief Military Apothecary General Hospital Asuncion, Paraguay. London: Sampson Low & Co. 1869.
3. *Letters from the Battle Fields of Paraguay.* By Captain RICHARD F. BURTON, F.R.G.S. &c. London: Tinsley Brothers. 1870.

THIS war, commenced by President Lopez, the Dictator of Paraguay, in the early part of 1865, and involving an Alliance against him personally of the Empire of Brazil, the Argentine Confederation, and the Republic of Uruguay, though illustrated in its course by a succession of pamphlets published in London and Paris, by diplomatic correspondence presented to the English Parliament, by vehement controversy in the journals of Europe, and now by the more substantial literature above referred to, nevertheless has not, up to the present time, been narrated or explained in such a form as to admit of easy comprehension by those who are unacquainted with the events out of which the hostilities arose, or with their objects and tendencies.

The four States enumerated—Paraguay, Brazil, the Argentine and Uruguay Republics—are all of course deeply, though in various ways and degrees, interested in the navigation of the Plate and its tributaries, which are navigable, through their territories, for 2000 miles into the interior of South America, and which form their means of communication and of intercourse with each other, and with Europe and the United States. The tributaries arise in the mountains of Brazil, and constitute for its interior provinces a riverine highway to and from its ports on the Atlantic. Their free navigation is consequently essential to the unity, the administration, and the development of the Brazilian Empire; and it depends chiefly on the relations existing between Brazil and the other states, and of late years pre-eminently between Brazil and Paraguay, which has the power of impeding navigation to the Brazilian province of Mato Grosso on the river Paraguay, and to Minas Geraes on the Parana. Some fifteen

or sixteen years ago, these various states had interchanged with each other rights of fluvial navigation through their territories by temporary treaties, and Brazil had established a monthly stean service from Rio de Janeiro to Mato Grosso, passing up the whole course of the river Paraguay. After the conclusion of these treaties Paraguay had, however, constructed near the junction of the rivers Paraguay and Parana a great fort at Humaitá, which commanded the navigation of the former river, and then declined to renew the treaties, without, however, denying the right of free passage to its neighbours on the rivers. Within that period the Argentine Confederation, which stretches from Buenos Ayres to the Andes, had reconstituted its institutions, was throughout its immense territories in perfect tranquillity, and so little dreamt of any hostilities with its neighbours, that it practically had neither army nor fleet. The republic of Uruguay, on the opposite bank of the Plate, was called into existence on British mediation in 1829. The country then erected into an independent state had previously been the object of contention between Buenos Ayres and Brazil, with the prospect of interminable wars for its possession. Both parties accepted the friendly intervention of the English Government, and on its useful intervention withdrew from the conflict by the formation of what was previously known as the Banda Oriental into the Republic of Uruguay, with Monte Video for its capital. For fifteen years this independence was respected by both; but when Rosas established his dictatorship over Buenos Ayres, he attempted by a lieutenant to acquire at least predominating influence over Uruguay. The attempt was at last resisted by Brazil, and led to Rosas' expulsion from the Plate, and to the reconstitution of Uruguay as an independent state in 1852. Unhappily, however, for its progress and peace, Uruguay contained two fierce and angry intestine factions—the Blancos, and the Colorados; and as they alternated in its government they oppressed and maltreated each other. In 1864 the Blancos were in power, and the Colorados in arms against them; and, as usual on occasions of party conflicts in that republic, their strife extended to and included the frontiers of the Brazilian Empire. Those flourishing owners of flocks and herds on the borders complained of ravages of their possessions, and required their own government either to afford them protection, or to allow them to defend themselves. Such was the position in the early part of 1864. To understand the question that then came to the surface it is, however, necessary to look much further back.

When the Spanish Conquistadores under Mendoza entered the Plate, they encountered in what now constitutes the state of Buenos Ayres a race of savage and hostile Indians, and with

them concurrent settlement, amalgamation, and peace were impossible. They had to be driven back as the Spanish advanced, and to this hour the Argentines have to maintain their colonization against the ravages of these Indians. In consequence, the colonization of the Argentine states is essentially European, their population has been of slow growth, and the Spanish element is there predominant.

On the Conquistadores under Yrala crossing Parana and entering into what is now known as Paraguay, they found friendly and even submissive natives, who, accepting them as a superior race, were eager to cultivate their connexion, and gave the Spaniards their daughters. A mixed race was the result. The children of these connexions rapidly increased in numbers, and the descendants of the conquerors adopted the language of the Guaranis, and largely their manners. So Paraguay was peaceably settled rather than hostilely colonized, and an Indian as distinguished from, nay, as almost opposed to, the Spanish element, predominated in Paraguay. The Indians of Buenos Ayres are still pagans, as well as savages. But the Guaranis of Paraguay, passing easily under the influences of their Christian teachers, became the too obedient children of the Jesuits, and, isolated by the Order for the sake of more easy rule, they gradually acquired habits of dislike of their lower neighbours, which the despots who succeeded to the Jesuits still further cultivated and exaggerated.

It is to Jesuit domination and its consequences in Paraguay that the remoter causes of this war are to be traced back. Surrounded on two sides by the rivers Parana and Paraguay, lying amid forests, and so to a great extent naturally isolated—distant 500 leagues from the Atlantic—the Jesuits made Paraguay the scene of a great experiment of communism,—of what was then a new system of society and of government. They gathered round them flocks of Guarani Indians without government of their own, without property, without traditions. Their object was of course to Christianize them, but in a form and under influences which defeated their own ends. The Jesuits were the soul, the centre, the teachers, the masters, the guardians of the Indians, who had neither lands nor rights, neither homes nor government of their own. For them to obey, to learn, to comply, was the rule of Jesuit administration.

“To work was to obey,” we are quoting from an effective summary of Jesuit rule published in Buenos Ayres by order of the Argentine Government; “to marry was to obey, to exist was to obey. The Jesuit represented God and the king, and a Jesuit led them to work, to church, or to war. Property due to work belonged to the state; the mission was for the mission itself, and not for the individual. Commerce was a right unknown to the Indian, who had never practised

it, and to the colonist who knew not the word outside the colony. A system of reciprocal espionage was enforced, tale-bearing was made a virtue, the confessional became a moral, religious, and political police. In the missions during 150 years no Spanish was taught, the dress was not of Europeans. By royal ordinance it was forbidden to Spaniards to enter these oases of morality. The distinctive characteristic of the Guarani organization was the deification of the Chief of the State, whether he was father, dictator, or president, and the chief bond of union was reciprocal espionage."

At last the Jesuits ignored the authority of the king, except through the hands of the mission; and the war of the Jesuits in 1772 put an end to this *imperium in imperio*.

Dr. Francia, with ideas drawn from a college of Jesuits at the end of the last century in Cordoba, in the Plate, found this flock without a father; he seized on and undertook to guide it, using its religious character for political ends. He re-Guaranized Paraguay. Thirty years the stern despot was occupied with work, which he accomplished by terror, cruelty, imprisonment, and confiscation. No one could escape from his imprisoned jurisdiction, and for fifty years

"no other Paraguayans were known in the Plate, except the few who were left outside when, in 1811, the gates were shut, which closed the country. In 1860 the work of remodelling the Paraguayan spirit, was brought to a close. The blind obedience which admitted of no reply, and the absorption of the individual into the state had grown into a second nature, and the despotism of the ruler became the essence and recognised perfection of government.

"The general result," says this official publication, with substantial accuracy if with some verbal exaggeration, "has been that whilst secular civil colonization, imperfect as it was under the Spaniards, produced Buenos Ayres, Lima, Santiago, Mexico, and a thousand towns and cities upon which through independence were founded civilized states, the missions vanished on the first breath of adversity, leaving behind gorgeous temples amidst vast orange groves, abandoned to nature, and inoculating the most frightful tyranny in modern times, with a civil pope in Dr. Francia, and in Lopez a mighty destroyer."

It was the misfortune of the Plate that Paraguay, under this peculiar development, while availing itself of the revolt against Spain of what had for two centuries constituted the vice-royalty of Buenos Ayres, and thereby securing independence, never sympathized with the Spanish colonists of the Lower Plate in the difficulties which ensued, contributed nothing to the final success of the separation of the Plate from the Spanish monarchy, but retired more than ever into seclusion, and cultivated fresh feelings of ill-will towards its neighbours. Thus from 1808 no relations of

friendliness and very little intercourse existed between the lower sections of the Plate in which these European elements prevailed in the population, and the parallelogram inhabited by the descendants of the Guarani Indians bounded on one side by the river Parana, on another by the river Paraguay, and surrounded in other directions by the Empire of Brazil. One consequence of this seclusion and hostility of Paraguay was the obstruction of navigation to the riverine powers from the junction of the Parana and Paraguay upwards, and into Brazil. Another, that there has always existed an antagonism in the heart of the Plate to its other and more civilized states, out of which sooner or later a struggle was certain to ensue. To this antagonism President Sarmiento in his message to the congress of the Argentine Confederation on the 1st May, 1869, traced back the present war.

It has, indeed, been argued, by way of excuse or apology for it, that this isolation benefited Paraguay by preserving it from the disorders which disturbed the lower sections of the Plate. But admitting the force of this statement to some extent, it will be seen, on the other hand, that the seclusion of Paraguay under a succession of despots ended in the fostering of ambition dangerous to its neighbours, and in aims at supremacy in the Plate, which have at last involved all its states in war, and that without fitting the population of Paraguay for intercourse with civilized countries, and while making its inhabitants an instrument of danger to be wielded at the pleasure of a tyrant. For it is not by seclusion and isolation, accompanied by fanaticism and hostility against surrounding countries, that any community can be fitted for a return to the society of nations. So excluded from intercourse, trade, and mutuality of progress, pride is cultivated, animosity becomes a passion, suspicion is fed, and an irreconcilable quarrel is ultimately produced. And such have been the natural results of that policy which, thus originating, Francia exaggerated in Paraguay, and the two Lopez pushed to extremities.

The rule of Francia over Paraguay lasted from 1813 to 1840. "It was," says Colonel Thompson, "a terrible system of tyranny." "Every one," he adds, "supposed to resist the government, even only in thought, was thrown into prison, and some of them shot." The country was, he shows, closed by land and water to all communication from abroad; ingress and egress both of persons and goods were prohibited; any one attempting to leave Paraguay, or to send money out of it, was put to death; foreigners who came into it, even for scientific purposes, like the naturalist Bonpland, were detained for long and weary years; marriage was prohibited, and terror reigned supreme. Under such despotism prevailing for nearly thirty years, it is hopeless to argue

that Paraguay improved. The result of such a system could only be social demoralization.

Lopez the elder succeeded to Francia, and ruled Paraguay until 1862. He, first of all, Colonel Thompson narrates, compelled a congress which he assembled, to infuse illusory legality into the absolute power he had seized on, and then formed an army "to sustain it." Unlike Francia in one respect, Lopez had a family—three sons and two daughters; and naturally the primary object of his rule was to secure for them a succession of his absolute power. So he improved their fortunes. Lopez was at Francia's death a briefless and penniless advocate. "His sons," says Colonel Thompson, "all got rich very quickly by every means in their power." They compelled sales to them of cattle at low prices, "and sold them at any price they liked." Vices followed riches; they "were all noted for their libertinism, especially the eldest and the youngest." The daughters too were enriched. They bought up from the people torn paper money at a discount, "and changed it at the Treasury for new paper of the full value. They also lent money on jewellery at a large profit, and kept anything they liked without reference to the owner's wishes." To the cruelty of Francia, Lopez and his family added selfishness, extortion, and immorality of their own. "No taxes," Colonel Thompson suggests in excuse, "were ever levied in Paraguay, and it never has had any national debt." In some sense this statement is true, but substantially it is inaccurate. The government, instead of levying lawful fixed and ascertained taxes, substituted a monopoly of *yerba maté*, the staple production of the country. This it "bought from the manufacturers at 1s. for 25lbs., and sold at from 24s. to 32s.," thereby taxing the agricultural classes in the most oppressive form, and taking for the revenue of the state, which was Lopez, the chief profits of the production of the soil and the industry of the people. Lopez, moreover, issued paper money, which is now worthless. So that to heavy indirect taxation he added a public debt that will never be paid. It is not of course by such means that public wealth increases, or that governments can be said to maintain themselves without taxation.

Nominally Lopez the elder relaxed the isolation of Paraguay, and after the downfall of Rosas, in return for their recognition of the independence of Paraguay, he formed treaties with his neighbours and foreign states. This he did very much under the advice and by the aid of Brazil—the state to which he then turned for support. "But," adds Colonel Thompson, "he got into hot water with all the powers he had anything to do with," and out of these troubles he escaped "by paying whatever was demanded when the ministers went to arrange the question." On the ex-

piration of these treaties by effluxion of time, the elder Lopez refused to renew them. To say that, under such circumstances, he really encouraged either external communication or commerce is an abuse of language.

In 1854 Lopez the elder sent his eldest son, Francisco Solano Lopez, on a mission to Europe, where he passed eighteen months. "In this trip," Colonel Thompson tells us, "he picked up a great deal of superficial knowledge and some polish. It was by seeing European armies probably that he imbibed the notion of imitating them and playing Napoleon in South America." In the course of this trip he visited the Crimea, and there saw the "great war which makes ambition virtue."

On the death of the elder Lopez, in September, 1862, the younger Lopez at once seized on the government of Paraguay. "People generally thought," Colonel Thompson remarks, "that General Lopez would establish free government, as he had seen something in Europe, and that the change would be decidedly for the better. The wiser people, however, shook their heads, and mourned over the old man's death." And the "wiser people" were of course right. A number of unhappy members of the Congress he assembled in October, 1862, who "very mildly hinted" at better rule than that of his father, were "all fettered and put into prison, where most of them died." His brother Benigno (whom he shot in December, 1868), "one of the number, was banished to his estancia in the north." Lopez the younger, in short, continued and embittered the system of Francia and his father. "I consider Lopez," says Colonel Thompson, after eleven years' experience of him, "to be a monster without a parallel, but I did not discover his character before the end of 1868." Had Colonel Thompson been possessed of greater sagacity, he would have made the discovery some years earlier, and it might then have prevented him from taking part in a war which it was obviously his bounden duty, as the subject of a neutral state, not to have participated in, and his reasons for entering into which remind one of the adventurers described by Byron at the siege of Ismail:—

"'Mongst them were several Englishmen of pith,
Nineteen named Thompson, and sixteen called Smith."

"I wanted," confesses Col. Thompson, "change of air, and I was glad of the opportunity of joining in what then promised to be only a military promenade over several hundred miles." In addition, Colonel Thompson describes Lopez as a glutton and a coward, surrounding himself with luxuries and indulgences in the midst of his troops' privation, and never once exposing his own person to one moment's danger.

Lopez the younger thus succeeded to an inheritance of despotism and cruelty, whetted by military ambition of his own, in September, 1862. From the first Colonel Thompson thinks it probable that he aimed at becoming "Emperor of the Plate;" and so early as the beginning of 1864, the Colonel says, "he began active preparations for war" by establishing a military camp at Cerro-Leon of 30,000 men. "In all about 64,000 were raised in the six months from March to August, 1864, without counting 6000 who died in that period." While Lopez had thus prepared for war by raising an army on the frontiers of his neighbours of 64,000 men, the Emperor of Brazil had then an army of only 16,000 men scattered over its immense territory, while the Argentine Confederation was literally without troops. And it was not until May, 1864—it is important to bear permanently in mind—that the Brazilian government sent that special mission to Monte Video to claim redress for wrongs, which, as the correspondence laid before Parliament shows, the Argentine government, deeply interested in the preservation of peace on the Plate, admitted to be well founded, and out of the result of which mission Lopez picked a cause for the war which he had prepared for. Lopez, it will then be seen, "began active preparations for war" before Brazil sought redress for admitted injuries to its subjects.

These claims arose out of outrages perpetrated on the flourishing frontier of the Brazilian province of the San Pedro do Sul by the lawless factions of the republic of Uruguay, which was in 1864 distracted by civil war between its two factions, the Colorados and the Blancos, the latter being then in power at Monte Video. The longer the civil war lasted the worse became the state of things on the frontier, until its influential population placed the alternative before the Brazilian government either that they should be allowed to protect themselves or that their government should procure them redress and provide them with security. To avoid any such resort to irregular defence on the part of its subjects the Brazilian government despatched a special mission to Monte Video. Its first object was to see if the civil war which was devastating Uruguay and desolating its frontier could not be arrested. In that object the Brazilian envoy received effective support from Mr. Thornton, the then English Minister at Buenos Ayres, and the Argentine government. Conjointly they proposed a plan of accommodation which, though at once accepted by General Flores, the chief of the Colorado party, was rejected, in June, 1864, by the government of Monte Video. "Brazil," says Colonel Thompson, "made it a *sine quâ non* of peace that the existing government of Monte Video should fall." This, however, is an entire mistake. Neither in June, 1864, when Senhor Saraiva concurred with Mr. Thornton

and Senor Elizade in proposing a plan of pacification for Uruguay, which was rejected simply because it included the recognition of the military rank of General Flores, nor on the 4th August, 1864, when after this rejection Senhor Saraiva addressed an ultimatum to the government of Monte Video for redress of injuries to Brazilian citizens, did he suggest or require any change whatever in the government at Monte Video. In the first, the mediators confined themselves to the removal of the causes of the civil war; in the second, Senhor Saraiva restricted himself to the claims of his government. Either might have been conceded without any change of authority at Monte Video, as a reference to the papers presented to Parliament will satisfy any impartial student.

The government of Monte Video first rejected the tripartite plan of pacification, and then returned the Brazilian ultimatum. It followed up the latter discourtesy by publicly burning its treaties with Brazil in the market-place of its capital amid the applause of the infuriated Blancos.

The explanation of its conduct in so acting, is that the government of Monte Video, had turned to Lopez for support and assistance, and that he, prepared, as we have seen, for war, and having by August, 1864, 64,000 troops in hand ready to commence war, had promised aid to the government of Monte Video.

On this rejection of its ultimatum and conflagration of its treaties, the Brazilian fleet resorted to reprisals in the north of Uruguay, and subsequently placed itself in front of Monte Video. Thereupon the actual government of Monte Video collapsed, its principal member fled to Lopez, and a new government, formed without the interference of Brazil, yielded under the advice of the Ministers of neutral powers to its demands, the Colorado party returned to power, and for five years peace and tranquillity have prevailed in Uruguay.

But Lopez, prepared for war, went to war. And according to Colonel Thompson he was, so far as Brazil was concerned, right in "commencing war when he did," for "Brazil would have taken Paraguay at a disadvantage." But Brazil then had neither the intention nor the means of "taking Paraguay at a disadvantage." She had not then 20,000 troops in all the Empire, and her fleet was powerless for two years to come to cope with Humaitú, which had to be passed before Paraguay could be seriously attacked. She had neither menaced Uruguay nor prepared for hostilities against Paraguay. Her frontiers on all sides were really defenceless. Lopez had 64,000 men under arms, and was so confident that his fleet was equal to that of Brazil that in a few months, we shall see, he attacked the

Brazilian fleet. It is idle then to pretend that Lopez had either just grounds of war against Brazil, or that Brazil meant in 1864 war against Lopez. Moreover, it was while such forces as Brazil had on the Plate were occupied in Uruguay, where they had quite enough to do, that Lopez levied war without notice or provocation against the Empire.

So little even when war was first levied against her did Brazil anticipate war, that in October, 1864, her mercantile steamer the *Marquis of Olinda* was peaceably ascending the river Paraguay and had passed Asuncion, having on board a newly appointed President of Mato Grosso, whom it was carrying to its capital, "when Lopez," says Colonel Thompson, "hesitated for a whole day whether he should break the peace or not. He had an idea that only by having a war could Paraguay become known, and his own personal ambition drove him on." So he ordered the capture of that steamer, had it seized and brought back to Asuncion, confiscated and converted it into a ship of war, and threw the President of Mato Grosso into prison, where he lingered for years, and ultimately died in Humaitá. Inaccessible to immediate punishment for this outrage, Lopez followed it up in December, 1864, by invading the defenceless Brazilian province of Mato Grosso, which was out of reach of succour, took in rapid succession its towns Coimbra, Albuquerque, and Corumba, put their populations to the sword, established a firm footing in the province, excluded Brazil from all riverine access to it, and deprived the people of Mato Grosso of all external supplies.

Having thus invaded the Brazilian province of Mato Grosso from the river Paraguay in December, 1864, Lopez made preparations for invading the Brazilian province of San Pedro do Sul on the river Uruguay. Between that province and Paraguay lie, however, the Argentine Misiones and the state of Corrientes; and to cross them he demanded, in February, 1865, passage for his troops from the Argentine government. General Mitre, then President of the Argentine Confederation, resolved on strict neutrality between Brazil and Paraguay, refused permission, and naturally asked for explanations as to the army Lopez had assembled on the Argentine frontiers. This explanation was given on the 13th of April, 1865, by five Paraguayan steamers entering the Argentine port of Corrientes, capturing two Argentine ships of war, and holding the port. "The forces of Paraguay at this time," says Colonel Thompson, "consisted of an army of about 80,000 men." Two days after, a Paraguayan contingent of this great army landed at Corrientes, seized the government archives of that State, formed a Paraguayan triumvirate for its government under the direction of Senor Berges, the Paraguayan Minister for Foreign Affairs, and established a Paraguayan camp

[Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. DD

of 25,000 men in the province of Corrientes under General Robles. Concurrently another Paraguayan column, 12,000 strong, under Colonel Estigarribia, passing higher up on the Parana through the Argentine Misiones, invaded the Brazilian province of San Pedro do Sul, and captured its capital, Uruguaiana.

It was under these circumstances, with Paraguayan armies invading in all directions their territories without previous declaration of war, and while nine Paraguayan steamers carrying fifty-nine guns, ready to support the invasion of Corrientes and San Pedro do Sul, were descending the river Parana, that on May 1, 1865, a treaty of alliance was concluded by the Brazilian, Argentine, and Oriental envoys at Buenos Ayres against Lopez personally; for it bound the Allies to respect the independent integrity of Paraguay, nay more, to guarantee it, and to recognise any other government formed in that country by its inhabitants.

Colonel Thompson condemns this alliance, though he admits that Lopez, animated by unscrupulous ambition, eager for conquest and aiming at empire, began the war, though he confesses that his conduct to the Argentines was "outrageous," though he describes in ample detail how he had overrun Mato Grosso, and was overrunning San Pedro do Sul at the time the treaty was concluded. "Buenos Ayres," says Colonel Thompson, "might be excused to a certain degree for signing such documents [the treaty and a protocol annexed], as this outrage of Lopez was still fresh in her mind; but Brazil had received no such affront, and the proceeding was quite unpardonable on her part." The answer to the latter strange statement is that a Brazilian ship and its passengers had been seized and imprisoned by Lopez, Brazilian territory had been invaded and ravaged up the river and down the river by Lopez, war had been declared against Brazil by Lopez. Brazil occupied the foremost position in Lopez's denunciatory documents; and ostensibly the Argentine territory was only invaded and Argentine shipping taken to assist Lopez in the passage of forces to Brazil. Yet while in Colonel Thompson's opinion it was excusable for the Argentines to enter into a defensive alliance, it was "quite unpardonable in Brazil," for Brazil had received "no affront." It is difficult to understand what can constitute an affront if the capture of shipping, imprisonment of subjects, invasion of territory, and subsequent declaration of war do not.

Captain Burton, on the other hand, does not object to Brazil having contracted such an alliance. But he sees in it, on the part of General Mitre, then President of the Argentine Confederation, an act of "profound political immorality," which has made Buenos Ayres "a simple prefecture of the Cabinet of St. Christovao;" placing, he adds, the Argentine Republic "in the ignoble

position which Lord Palmerston chose for us in the Crimea." The reply, and it is complete, to this censure, is that it was a primary duty of the Argentine President in May 1865, to revindicate its territories, to protect it from further invasion and danger, and, if possible, to remove the causes of that danger; and how those objects could have been realized, as it will be seen they were, except by the powers against whom Lopez had separately declared war, uniting in a common defence, regulating and formularizing their common purpose by a treaty, and carrying on military operations by an effective combination, it is impossible to see. The notion that the alliance reduced the Argentine Republic to a prefecture of the Empire of Brazil is just as rational and correct as that the position in which Lord Palmerston placed England vis-à-vis France in the Russian war was an "ignoble" one, and has as little foundation in fact. During a great part of the war, the Brazilian troops, greatly superior in numbers to the Argentines, were under the command of General Mitre, Brazil had to assist the Argentines with money, they were free to elect a new President who is as independent in his sphere as the Emperor of Brazil is in his, and the idea of the Argentines ever submitting to Brazilian dictation or even influence will only provoke a smile on the faces of all who really know anything of the affairs of the Plate, or its history.

In truth the fancy that Brazil seeks either predominance or territory in the Plate, is one of those idle fallacies which neither long experience nor the highest authority is sufficient to dispel. It has been lately revived, for example, in the United States Senate before its Committee on Foreign Affairs, where American diplomacy quarrelled over the Paraguayan war. There however, General Webb, late United States Minister at Rio, came to the rescue of Brazil, telling the Committee how, when Uruguayana was recovered and the Emperor returned to Rio, he had an audience of His Majesty.

"I said to him—'Your Majesty, there is a very small strip, a few miles in extent, north of the river, which appears to have been the source of all the difficulty. Uruguay has jurisdiction over it, but it is settled entirely with Brazilians. There are no Spanish Uruguayans there. And as in the interest of peace, a necessity seems to exist for the acquisition by Brazil, of this small strip of territory, I think the Government of the United States would not, under the circumstances, deem it any cause of offence, if Brazil should retain jurisdiction over it.' The Emperor replied:—'No, when I was compelled to go into the war, I proclaimed distinctly, that under no circumstances, would I add one square foot to my dominions. I have brought the war to a satisfactory termination, and shall carry out to the letter that disclaimer.' I may, therefore, say emphatically, from this and other circumstances within my knowledge, I am thoroughly

satisfied that neither the Government nor the people of Brazil have in view now, whatever purpose they may have had thirty or forty years ago, any intention to extend their territory by conquest from the neighbouring republics. I have reported fully to this Government the causes of this war, and that it was forced upon Brazil by Lopez; and as I have not changed my favourable convictions in regard to the character of Dom Pedro II. and of his pacific policy, I consider it my duty, after my long official residence in Brazil, to speak thus emphatically in vindication of her policy in carrying on this war."

But the treaty of alliance, Colonel Thompson repeats several times, was "secret." No doubt the text of the treaty had by its stipulations to be kept secret until its chief objects were attained; for the simple reason that its publication in May, 1865, would have thrown an advantage into Lopez's hands at a time when he had assailed the Allies at great disadvantage. But the purport of the treaty was no secret. Its contents were known in the rivers within forty-eight hours of its conclusion; they are to be found summarized in a pamphlet on the war, published in London in July, 1865; and within a few weeks after its ratification a copy of it was placed in the hands of at least British, and probably of other diplomatists in the Plate.

Susceptible as the word "secret" is in such matters of being turned into a reproach, there is nothing inherently wrong or immoral in nations keeping from their common enemy the details of the terms on which they defend themselves against him, provided the terms themselves are justifiable. Against Paraguay or the Paraguayans the terms of the treaty of Buenos Ayres were not directed, for the territory and independence of the republic were recognised and guaranteed by the treaty. The right of the Paraguayans to choose the form and persons of their own government was acknowledged. Full provision, too, was made for the free navigation of the rivers. And the preceding sketch of the career of Lopez has established the individuality and personality of his ambitious designs, of his preparations for a precipitation of the Plate into war. Against this would-be Emperor of the Plate, this seizer of their ships, this invader of their territories, this "monster without a parallel," the Allies combined, and bound each other by treaty not to lay down their arms or to treat separately until he had ceased to rule, sway, and dispose of the fortunes of Paraguay. The war on his part was one of lust, ambition, outrage, and conquest, and so it was accepted, treated, and described by the Allies in the preamble of their treaty. How accurately and justifiably has been shown. It was not, it seems, given to Colonel Thompson in 1865, to appreciate the true character of Lopez; it was only as succeeding years evolved his personal disposition and manifested his cowardice, his self-indulgence, his

vindictiveness, his cruelty, his indifference to human life, and his personal vices and crimes, that Colonel Thompson found Lopez the monster which he describes. But the Allies were quicker in their estimate of his character. That which Colonel Thompson discovered in December, 1868, after he had, on the success of the Allies at Villetta, escaped with his life from the service of Lopez, they had anticipated in 1865; and as Colonel Thompson now is of opinion that the removal of Lopez from Paraguay is due to humanity, and now blames the Allies for not having long ago accomplished that object of their alliance—that, we may remark, was the determination of the Allies in 1865, which he censures so strongly.

While, however, the ulterior object of the treaty of May 1, 1865, was the removal of Lopez from Paraguay, the immediate aim of the Allies was the revindication of their territories from his merciless occupation, and the arrest of the descent of his fleet on Martin Garcia, and possibly on Buenos Ayres. The effect of the alliance in its more immediate objects was prompt and decisive. At this time we have seen, from Colonel Thompson's account, the army of Lopez included 80,000 men. Of these 25,000 men, under Robles, had reached Goya in the Argentine states of Corrientes, whence, could the Brazilian fleet be disposed of, they might have advanced to Buenos Ayres itself. Another column, nearly 13,000 strong, under Estigarribia, had been thrown into the Brazilian province of the San Pedro do Sul, and had advanced not far distant from the frontiers of the republic of Uruguay in the hope of reviving civil war there, and so attacking Buenos Ayres on that side also. Lopez himself had left Asuncion for Humaitá, his great fortress, above the point where the Paraguay falls into the Parana, with a view to direct the operations of these corps d'armée and to take advantage of their successes. Below he was engaged in intrigues with Urquiza, the chief of the Argentine state of Entre Rios, lying between the state of Corrientes and that of Buenos Ayres. Above he was endeavouring to open negotiations for an alliance with the republic of Bolivia. His first movement towards his great end, empire, was the descent of his fleet to clear if possible the lower waters of their obstructions to this general scheme of conquest. Unfortunately for him, at Riachuelo, a few miles below the port of Corrientes, his descending flotilla encountered, in June, 1865, the ascending Brazilian fleet, of fewer vessels but of about equal force in guns. The collision was disastrous to the Paraguayan squadron, and by its defeat and subsequent retreat to Humaitá, the object of this invasion of Corrientes and San Pedro do Sul was frustrated. Robles, on the retirement of the fleet, at once fell back from Goya by forced marches to within a few leagues of the port of Cor-

rientes, pursued by Argentine levies, which by this time had been hastily collected. On the 23rd of June Robles was deprived of his command by Lopez, despatched to Humaitá, and there imprisoned. He was ultimately shot, on the imputation that he had agreed to sell his army to the enemy. Thus relieved by the victory of Riachuelo from immediate danger on the side of the Parana, the Allies directed their attention to the Paraguayan operations on the river Uruguay, where Estigarribia had taken the Brazilian town of Uruguayana, on the banks of the river. Their point of reunion was the Argentine town of Concordia, a little lower down on its opposite bank, where already the Brazilians had sent gunboats. Thence the Allied forces crossed the river in the latter end of August; as they advanced on Uruguayana, Estigarribia retreated for a moment, but then returned to Uruguayana, as if in dread of Lopez. Though greatly superior in numbers, the Allied generals summoned him to surrender, and after some parleying, the Paraguayan force, on the 18th September, 1865, laid down its arms on honourable terms; Lopez of course declaring that Estigarribia, like Robles, had sold the garrison. Thus the Paraguayan fleet was, within five months of the alliance repulsed and driven back, and the advance of Robles was checked. And within three months the Paraguayan invaders of the San Pedro do Sul surrendered to the Allies. The effect of that surrender on the state of Corrientes, still occupied by a large Paraguayan force, was immediate. Lopez dissolved his triumvirate in the port of Corrientes, ordered the evacuation of the state, and by the 3rd of November, 1865, had passed his last man of these two invading armies back again into Paraguay, stripping the state of Corrientes, however, on their departure, of its wealth, and carrying off, according to Colonel Thompson, 100,000 head of cattle, destroying, he adds, "many thousands which they were not able to pass over."

The immediate aim of the alliance of May 1, 1865, was therefore eminently successful; it had established military and naval co-operation for common purposes; that co-operation drove the Paraguayan fleet back to Humaitá, checked the advances of Lopez's armies down the banks of the rivers Parana and Uruguay, preserved tranquillity in the republic of Uruguay, saved Buenos Ayres, destroyed hopes of conquest and of empire, and cleared Brazilian and Argentine territory in the lower rivers of the last Paraguayan invader.

Here, it has been argued, the Allies ought to have stopped and acted on the defensive. But Lopez, enraged by these reverses, was more implacable in his hostility than when driving everything before him; he had indeed lost some 20,000 men, but he had still 60,000 well armed troops in hand, with capacity

to increase their number; he had a reduced but still active flotilla under the guns of Humaitá ready for action; by that fortress he blocked up the navigation of the river Paraguay, excluded Brazil from access to Mato Grosso, and had overrun and still held a great part of that province, and he had not yet abandoned hope of exciting revolution in the Argentine Confederation and the Republic of Uruguay. A severe blow had indeed been inflicted on his invading armies and his advancing fleet; but the spirit of the man remained the same; his denunciations of the Allies were renewed, and his ambition was in no degree abated, though somewhat reduced in power. Therefore the alliance for his removal from Paraguay was persevered in. The invasion of Paraguay was resolved on, and the demolition of Humaitá was taken in hand.

This task, it soon became apparent, was more difficult and serious than the Allies had contemplated. Lopez had a great army and ample means of recruiting it, a huge fortification that had to be encountered and passed, complete command and disposal of Paraguay, troops that required little pecuniary expenditure, a country unknown to the Allies to defend, and difficult for them to deal with, the expectation of disunion among the Allies, owing to ancient jealousies between the Spanish and Portuguese, to encourage him in his resistance; he had also unity of purpose and absolute power over life and property. The Allies, on the contrary, had now to carry on operations at enormous distances from their resources, especially on part of Brazil, on which the burthen of the war fell; their troops were raw and undisciplined, their officers without much training, or any great experience in warfare; their populations were peaceable and little given to furnish recruits to distant armies; the cost of every step taken was enormous. That cost and distance rendered caution and prudence primary elements of success; the Brazilian fleet, well adapted for ordinary purposes, was as yet unsuited for encountering fortifications; and by the terms of the treaty the President of the Argentine Confederation was entitled to command the land forces of the Allies when present with it, although the Confederation contributed not more than a third of the whole. It was not indeed until April, 1866, that the Allies were in a position to cross the river Parana. This they did without any effective resistance, but only to encounter the Paraguayans strongly entrenched in greatly increased and much larger forces, in swamps and morasses of a most formidable kind.

The passage of the Parana by the Allied forces, consisting chiefly of infantry, was effected without serious opposition by the end of April. This passage it had been proposed should be made at two points; by the great bulk of the army at Paso la Patria,

in front of the Paraguayan strength, and by a Brazilian contingent at Encarnacion higher up, so as to turn the flank of the enemy. But the latter operation had to be abandoned ; and in consequence the scheme of the Allied campaign was changed. Had Lopez, says Colonel Thompson, defended the trenches of Paso la Patria, the Allies would probably not have been able to take the trenches ; and his failing to do so was his first of many great mistakes. Landing in Paraguay, the Allies, however, found themselves in a country without resources, and out of which the population had been driven by Lopez. They were dependent on the river for supplies, in front of an enemy strongly placed behind earthworks and well defended by intervening lagoons, swamps, morasses, and woods, where successes could only be followed up and advance secured by cavalry, in which they were deficient. Severe fighting immediately followed the passage. The last contingent only crossed the river on the 30th of April. On the 3rd of May, Lopez surprised the Allied vanguard under the Uruguayan President Flores, on the heights of Paso la Patria, and inflicted on it a loss of 2300 men, but without gaining any material advantage. On the 24th May, he again attacked in force their main body in a strong position, near Curupaity, and suffered a terrible defeat, leaving 6000 men dead on the field, having 7000 wounded, and reducing his effective force to 10,000 men ; the Allies losing, if we can credit Colonel Thompson, 8000 in killed and wounded. But, wanting cavalry, the Allies were unable, in the presence of a country of such difficulties, to do more than gain a decided victory. Returning within the lines of Curupaity, Lopez fortified them with earthworks, and, preserving his position there, recruited his army, bringing down to it, says Colonel Thompson, "6000 slaves," and mounting the earthworks with artillery from Humaitá and Asuncion. Before Humaitá could be seriously attacked Curupaity had to be taken by the Allied troops and passed by the Brazilian fleet, which as yet was deficient in iron-clads, and unequal to the task. It was not until the early days of July that the Allies were reinforced by the arrival at Paso la Patria of the contingent which had failed to cross the river at Encarnacion. The day after their arrival, 11th July, Lopez again assaulted the Allied position at Yataity-Cora, but once more without further result than weakening himself. On the 14th he renewed the attack with better fortune, in a succession of engagements known as the battle of Sauce, which lasted until the 18th July inclusive. In them the Allies are reported to have lost 5000 men, and the Paraguayans 2500. The Allies, however, maintained their position. To make up for his losses, Lopez brought down to the banks of the Parana part of his troops from Mato Grosso.

The great object of the Allies was now to take Curupaity, and so to get to the rear of the Paraguayan army. With that view they carried on 5th September, 1866, Curuzú, a defendable point 3000 yards from Curupaity, on the river Paraguay, after a bombardment in which the fleet effectively operated, and which lasted four days; the Allies losing, if Colonel Thompson's account can be relied on, 2000, and the Paraguayans 2500 men. But here again want of cavalry prevented the success from being carried further than the acquisition of Curuzú itself, and Lopez renewed his exertions for the defence of Curupaity. At this moment his thoughts turned to peace, and he sought an interview with President Mitre, who commanded the Allies; but as Mitre would admit of no terms less than those of the treaty of May 1, 1865, the conference was fruitless. On September 21, 1866, a grand attack was made on the lines of Curupaity, in which the fleet again joined; but after desperate fighting on both sides, the Allies had to retire, losing, according to Colonel Thompson, 9000 men. Curuzú was, however, preserved.

Up to this time the Allies, while gaining these victories, had, it would appear from his narrative, which must, however, be received with caution, lost in killed and wounded upwards of 16,000 men; and 4000 Argentines were now withdrawn from the Allied army, to quell an insurrection in one of the Andine states of the Confederation. That army was, too, further reduced in strength by the ravages of cholera, which reaching Paso la Patria in March, 1867, spread in all directions through its ranks, so that by the beginning of May there were 13,000 Brazilians in hospital. After the repulse from Curupaity a period of inactivity in the Allies was unavoidable, and during it Lopez immensely strengthened his position within its lines of earthworks. By May, 1867, however, the cholera reached his camp, spread thence over the whole country, destroying both combatants and non-combatants. Measles too ravaged Paraguay with even greater mortality.

In these operations General Mitre, President of the Argentine Confederation, had commanded the Allies, and not, it was complained, with any distinguished success. In February, 1867, he was recalled by domestic affairs to Buenos Ayres, leaving Marshal Caxias, a Brazilian soldier of experience and reputation, Commander-in-chief of the Allied armies, and he also had supreme authority over the Brazilian fleet, which was being gradually reinforced with ironclads. By July, 1867, the Allies were strengthened by the arrival of a Brazilian corps d'armée under "the hero of the war," General Osorio; and, thus reinforced, Marshal Caxias ordered a general advance on Curupaity. Scarcely had the operation begun, on July 27, 1867, when General Mitre

arrived, resumed the command-in-chief, and interfered with and essentially altered Caxias' plans. Instead of attacking Curupaity, Mitre entrenched the Allied forces at Tuyucue. The Brazilian fleet, however, proceeded in the part assigned to it, and on the 15th of August, 1867, forced the batteries of Curupaity, and placed itself midway to Humaitá.

Almost concurrently Mr. Gould, the intelligent secretary of the English Legation at Buenos Ayres, arrived at the scene of operations, in the middle of August, 1867, to communicate, if possible, with British subjects in Paraguay. Unable to succeed in that object of his mission, Mr. Gould framed conditions of peace which he believed would be acceptable to the Allies. "These conditions," says Colonel Thompson, "were formally accepted by Lopez, through Caminos, his secretary for foreign affairs, and on that condition he—Mr. Gould—proceeded to the Allied camp." He reached it on 11th September, 1867, and there, too, his terms "were favourably received." Thus encouraged, Mr. Gould went back on the 13th to the Paraguayan head-quarters, and was then told by Caminos that he had previously declared that the 8th article, which provided for the retirement of Lopez to Europe on the conclusion of preliminaries of peace, "could not even be discussed by him." This sudden change of determination was the result of news intermediately received of disturbances in the Argentine Confederation, which Lopez anticipated "would force the Allies to make peace with him on any terms," though they quickly turned out to be insignificant.

"The horrible selfishness displayed by Lopez on this occasion," Colonel Thompson, his chief engineer and aide-de-camp, adds, "is perhaps without a parallel. The Allies were disposed to grant such terms for Paraguay as might have been dictated to them by a conqueror, on the one condition that he should leave the country, and that with every honour. But he preferred to sacrifice the last man, woman, and child of a brave, devoted, and suffering people, simply to keep himself a little longer in power. The sacrifices and heroism he speaks of in his letter [of refusal to Mr. Gould] are all false, as he had never once exposed his person, and he had every commodity and luxury which he could wish for."

And so the war went on: slowly and cautiously indeed on the part of the Allies, but with substantial success. The lines of Curupaity were regularly invested, the Brazilian monitors were in command of the river Paraguay in front of its river fortifications, Curucú was occupied by the Allies, the main body of the army was entrenched at Tuyutu, and other monitors were arriving to strengthen the fleet. Until their arrival the attack on Curupaity from the land side could not be safely delivered. The position of Lopez was increasing in danger. Supplies were, how-

ever, difficult to be conveyed to the Allied camp, and in September, 1867, he made a desperate effort to intercept a convoy, and to it the Brazilian cavalry in the following months replied by an equally desperate effort to establish communications between the camp and a point above Humaitá, which was increasing, it will be seen, in importance. In this effort they were successful, and by their success were enabled to capture and entrench themselves at this point, Tayi, which they then occupied in the early part of November, 1867, in force, and armed with heavy guns. Thus was secured a strong position some fifteen miles above Humaitá, on the only spot on the river near that fortress which was defensible, and which had the further advantage of communicating with the interior. So pressed upon, Lopez, on the 3rd November, 1867, resorted to an operation reflecting great credit on his military skill. He surprised at break of day the Brazilians in their camp at Tuyutu, and nearly overwhelmed them. Argentine assistance speedily arriving from Tuyucue lower down, the Brazilians were rescued from a position of immense danger, and after terrible bloodshed the Paraguayans had to retire, carrying off, however, plunder that was invaluable to them in the plight to which they had previously been reduced. From that time Lopez seems to have recognised the fact that the lines of Curupaity could not be much longer defended, for he then concentrated his forces in a smaller compass at Paso Pucu, armed Humaitá with heavier ordnance preparatory to its approaching siege, himself retired into that stronghold, and established another camp and battery higher up the river, at Timbo, between which and Humaitá, however, there was only communication by water. In January, 1868, General Mitre again, and permanently, retired from the supreme command of the Allies, and once more Marshal Caxias became responsible for the conduct of the war.

Reinforced by three more ironclads, which had been built at Rio de Janeiro, on the 18th of February, 1868, a strong detachment of the Brazilian fleet forced the batteries of Humaitá, passed that of Timbo, and reached the Brazilian fortified position at Tayi, where there was a force of some 10,000 men. Thus they had access to Asuncion, the evacuation of which, by its entire population, Lopez thereupon ordered, removed the seat of government to Luque, a village on a railway nine miles inland, retreated himself to the river at Timbo, and made preparations for crossing the river to the Chaco with the main part of his army, and by marching through its swamps to effect a landing on the other side again at the mouth of the river Tebiquari. Thus encouraged, Caxias made a succession of assaults on the lines of Curupaity between the 18th of February and the 21st of March, 1868, with varying success. About to renew them on the

22nd of March, he found the whole of the line evacuated by the Paraguayans, who during the night had carried off their artillery to Humaitá, which was now the only strong point held by them in that part of Paraguay. On that day two Brazilian ironclads, placing themselves between Timbo and Humaitá, interrupted the water communication between that battery and the great fortress. The ironclads then, being themselves without means of communication with the rest of the Allied forces, were themselves, however, in a position of no little difficulty unless Humaitá could be taken or destroyed.

The siege of that fortress, now strictly invested, occupied upwards of four months. The Paraguayans from the Chaco attempted to relieve Humaitá, and to throw in supplies; their operations were, however, checked by an Argentine expedition into the Chaco; so Lopez next endeavoured to capture in July, 1868, the ironclads above Timbo. Here again his attempt was frustrated; and by the 15th July the Allies were ready for the assault of Humaitá, in which provisions were scarce and the garrison greatly reduced. It defended itself gallantly to the last; but all hope expiring, part of its force escaped across the river. The remainder surrendered the fortress on the 2nd August, 1868. Those who had escaped subsequently capitulated to the Allies, and were thereby rescued from starvation.

A glance at the map will indicate that Curupaity abandoned and Humaitá lost, the next line of defence against the Allies was the river Tebiquari, which falls into the river Paraguay, is navigable on two branches into the interior, and which has at its junction with the Paraguay a sort of an island, Fortin, accessible only on one side and easily defensible. So Lopez proceeded to fortify Fortin, and as soon as its batteries were completed, he left his hiding-place on the Chaco, crossed the river Paraguay, and established his head-quarters at San Fernando, some four miles from Fortin and a mile from a pass across the Tebiquari, having in front of him, if driven from that river, a country very difficult from its woods and forests for an enemy to operate or follow up successes in. At San Fernando Lopez had encamped some 8000 troops, and communicated by telegraphs with Timbo, Fortin, and the Tebiquari pass. He had also in the Tebiquari the remainder of his flotilla. The Allies had of course been too much engaged before Humaitá to interrupt the establishment of Lopez here; but their ironclads bombarded Fortin and otherwise gave occasional occupation to his troops in the line of the river.

The pressure of the Allies, his waning fortunes, his reduced forces, and a growing fear of all around him, seem to have thrown Lopez into a fit of combined mental depression, piety,

suspicion, and cruelty at San Fernando. "He had," says Colonel Thompson, who commanded below at Fortin, "taken a fit of church-going, and went every day without fail, staying some four hours. All this time he appears to have been committing the most horrible and wholesale murders under pretext of a conspiracy being on foot." Amongst his then victims was General Bruguez. "He and I," Colonel Thompson goes on, "were very good friends. One evening, arriving from Fortin, I went into his room and found that all his things were gone and other things in their place. There was a boy in the room, and I asked him for General Bruguez; he did not know. I then asked if he had moved. 'Yes.' 'Where?' 'I don't know.' . . . Next day I dined with Lopez; Barrios, Bruguez, and the Bishop used always to dine with him, but Bruguez was not there. Lopez's little boy asked where he was, and they all told him with smiles, 'He is gone.' He was, I have since learnt, bayoneted to death." Here too Barrios, placed under arrest, attempted to escape from a similar barbarous fate by suicide. "Lopez's mother came down to see him, probably to beg for the lives of her two sons, who were both in irons, and of her two daughters who were in prison. She had, however," Colonel Thompson adds, "no influence over him."

On the fall of Humaitá in August, 1868, Lopez retreated from the line of the Tebiquari to the river Pyksyry, which draining the lake Ypoú, and thereby making the adjacent territory a swamp, defiles later on into a narrow stream and falls into the Paraguay at Angostura. By this retreat he placed a difficult country between himself and the Allies, and brought his own army nearer to its resources, to the habitable portion of Paraguay, and to the mountains. Well acquainted with all the passages through the lagoons and morasses, by September, 1868, Lopez established himself on this better line of defence, and mounted formidable works at Angostura, where the river Paraguay narrowed; losing however large quantities of ammunition, now growing scarce, on the retreat. The nature of the country, want of supplies, and the vigilance of the enemy rendered this route of advance dangerous to the Allies, who, far from any effective base of operations, and dependent on the river and the fleet for resources, were necessarily cautious and slow in their upward movement. So all notion of attacking the Paraguayan position at Pyksyry had to be abandoned, and, leaving the Argentine division to pick its way slowly through the woods and swamps, a Brazilian contingent in October crossed the river into the Chaco, and supported on the river and protected in that operation by their fleet, which passed the batteries of Angostura and ascended to Villeta, the Brazilians in October and November, 1868, 30,000 strong, cut their way through the swamps and woods and across the number-

less overflowing rivers of the Chaco, and crossed the river with the main body of their infantry and lighter artillery to San Antonio, some four miles above Villeta, where they were not expected, on the 5th of December. The Argentines concurrently and directly advanced to Palmas, on the other side of the entrenched Paraguayan position.

The Brazilians lost no time in assailing the position of Lopez at Villeta. Between it and San Antonio runs a narrow deep stream crossed by a bridge. So next morning they advanced to secure it. There, however, they encountered a Paraguayan force some 5000 strong with 12 guns, commanded by General Caballero, the youngest but ablest soldier of their enemy. The struggle for the possession of this pass was desperate. Thrice it was taken and retaken. The advantage lay with the Paraguayans until Caxias himself brought up his first division in aid of the second, and then victory declared itself on the side of the greater battalions. The bridge was captured with six guns, but if Colonel Thompson, who generally professes to know more of his opponents' loss than that of his own side, be well informed, at a sacrifice in killed and wounded of 3000 men; but in these as in his succeeding figures there is probably exaggeration.

This advantage gained, the Brazilian cavalry and heavy artillery were passed over the river in safety, and the main body of the army advanced on another stream at Avay, where it was crossed by a road, and here again, on December 11th, they had to encounter the Paraguayans in force under the active and courageous Caballero. "All," says Colonel Thompson, "fought like lions. They held their ground in a pouring rain for four hours against the continued assaults of the Brazilians, until the cavalry surrounded them and they were attacked on all sides. They were now completely cut up, and hardly a man escaped." But here again he records the exact losses of the Brazilians, 4000 hors de combat, without adding the amount of Paraguayan disasters. So that in these two battles of Ytororo and Avay, the Brazilians, if he be well informed, gained victories which cost them 7000 combatants. The second, however, enabled them to occupy in force the heights of Villeta, exposed the rear of Lopez's position to assault, and placed him in a position of great difficulty between this commanding force and the co-operating squadron of Brazil in the river. Gallant too as had been the defence of Caballero at Ytororo and Avay, it was now obvious that great mistakes had been committed in defending those points. The Paraguayans had been disheartened and greatly reduced in strength, and they were now driven into positions where everything had to be risked.

Still Lopez defended himself with desperation, but without, Colonel Thompson insists, personal courage. Between the 13th and

20th of December defensive earthworks were thrown up on the line of Pyksyry, manned and mounted. On the 21st Caxias attacked his head-quarters, and after three hours' fighting became master of fourteen of his guns, cleared out the trenches, and destroyed the flower of the enemy's troops. Fighting continued on a smaller scale on the 22nd and 23rd, but on the latter day Caxias was reinforced by the Argentines with their field artillery, who had advanced from Palmas, and by detachments of sailors from the fleet. Next day the Allied generals summoned Lopez to surrender, and on his refusal a grand assault commenced on the 25th of December, and was continued until the 27th December. Desperate as was the resistance it was from the first hopeless, and by the morning of the latter day the Allies marched into the enemy's lines; Lopez "started off alone for Cerro-Leon," his baggage was taken, "and even some of his female slaves with his baggage." "He had shot," says Colonel Thompson, "his brother Benigno, the Bishop, Berges, Colonel Alén, the wife of Colonel Martinez, and General Barrios on the 25th. His sisters, Inocencia and Rafaela, he had taken away to Cerro-Leon, after they had been repeatedly flogged by common soldiers, and lived on a cow hide for months." "Lopez," he adds, "had never been under fire before these last days of the war, and then he can hardly be said to have been so, as he was always either out of range or protected by the thick mud wall of his house. Under the last days of December he repeatedly swore to the troops that he would stay and conquer or die with them there. On his going away therefore, almost without smelling powder, the men, though so well trained to think everything he did perfectly right, yet felt disgusted with him, and I have heard many of those who were taken prisoners descant upon his cowardice."

By these victories at Lomas Valentinas, and Ita Yvaté, and with a bombarding squadron before him, Colonel Thompson's own position at Angostura on the river became desperate, and in spite of the entreaties of Lopez to hold out, he wisely capitulated, on honourable terms, on 29th of December, and two days later left Paraguay with this mean opinion of the chief whose aide-de-camp he was: "The termination of the Paraguayan war now entirely depends on the state of Lopez's pantry, and will end when his stock of wine and other good things has been consumed, as he will then think he has done enough for glory." In this appreciation of the situation Colonel Thompson was, however, in error. More had to be done than either Marshal Caxias or Colonel Thompson then anticipated.

Lopez, in a proclamation issued from Cerro-Leon, on which he fell back, acknowledged the severity of this defeat, which he attributed to the "despair" with which the Allies had fought;

and as it had broken the strength of his army, deprived him of access to the river, placed Asuncion, his capital, at the disposition of the Allies, cleared the lower part of Paraguay of his forces, and reduced his powers of defence, Marshal Caxias, depreciating his tenacity and resources, reported to his government that the war was at end. This anticipation of the old soldier was premature, and proved to be another of those mistakes as to their reciprocal strength which had been indulged in by both combatants during the prolonged hostilities.

The capital of Paraguay was immediately occupied by the Allies, and on the advance of a Brazilian division under the Baron do Triunpho, Lopez retreated from Cerro-Leon. But, struck down by apoplexy in the Cathedral of Asuncion, and under this belief, Marshal Caxias, now upwards of seventy years of age and labouring under great bodily infirmities, passed the command in chief to General de Souza, and returned, with other incapacitated general officers and the wounded Admiral of the fleet, Viscount Inhauma, to Rio de Janeiro, leaving behind him a victorious, but greatly weakened army, without mounted cavalry to follow up its victories, without adequate commissariat resources to advance into the interior, and without a general acquainted with the country. The supply of these wants occupied time, gave Lopez opportunities to rally such resources as were left to him, and has delayed the conclusion of the struggle.

The character of the war was now, too, changed. Lopez could no longer bring great forces into the field ; driven into the northern and mountainous parts of Paraguay, unknown to the Allies, he was, however, able to fall back on points of natural defence, thence to carry on guerilla hostilities, and had still at his disposal a foundry and stores of ammunition. This change in the character of hostilities required in the Allied general above all qualities, youth and energy and activity ; and happily they were found in Gaston d'Orleans, Comte d'Eu, son of the Duc de Nemours, who in 1864 had married the heiress-presumptive to the Crown of Brazil, who had long been eager to participate in war, who hitherto had been restricted to aiding it from Rio as chief of the artillery, and who by his conduct there, had acquired the esteem and regard of his adopted country. To him the command was confided, and leaving Rio on the 30th of March, he arrived at Asuncion on the 14th April 1869, proceeded without delay to Luque, accompanied by generals who had experience of the country and had distinguished themselves in the previous hostilities, and then vigorously set about preparing for the task he had assumed, with a spirit that at once invigorated his troops.

Meanwhile the Brazilian fleet had not been idle. A detachment at once, early in January, steamed up the river, ascended into Mato Grosso, where it carried resources to its starving population, appeared before the capital of the province Cuzubá, reunited it to the Empire, and fortified the commanding pass of the river at Fecho dos Morros, for the defence of the Brazilian frontier. At Asuncion, which the Allies found almost deserted, their appearance quickly attracted a return of its population; Paraguayan citizens who had fled from Lopez and found refuge in the Argentine ports of the rivers, returned to the capital; the rivers, opened to their navigation, vessels of all sorts quickly ascended to the port, where by the month of February upwards of 300, including 50 steamers, poured in supplies; and on the 18th of that month the Brazilian envoy, Senor Paranhos, arrived in that harbour to assist in the reorganization of Paraguay.

Meanwhile too the railway from Asuncion to the interior town Paraguay was taken as the basis of Allied operations; detachments of Allied troops were sent out to protect the Paraguayans, who, deserting the cause of Lopez, sought Allied protection and subsistence; the interior was explored, locomotives for the use of the railway were acquired from Buenos Ayres; a Paraguayan corps was formed; a column 10,000 strong crossed the Jaquerry, followed by another in a different direction to meet at Ascurra; a third detachment of cavalry crossed the upper Parana to protect southern Paraguay, and the mouth of the river Manduvira, up which the remaining Paraguayan flotilla had sought refuge, was guarded by a Brazilian ironclad. On the arrival of Comte d'Eu, a naval expedition at once proceeded up the river, which found the flotilla ashore, and ascertained that Lopez's position was accessible from the river, and that it could be used for taking the enemy in the rear. The fortifications which he had erected at Asuncion were also destroyed, and on the upper Parana, forts which he had also raised as far as Itapua were demolished.

The cavalry was mounted, supplies of all kinds for the troops were accumulated and sent forward, preparations made for compressing Lopez more and more into the mountains were made. From the upper Tebiquari General Portinho advanced in one direction, from the lower Tebiquari General Menna Barreto in another. Cerro-Leon was occupied, so also Paraguay. Thus the line of the railway was secured. The main body of the army pushed on to Ascurra. On the 8th of June arrangements were concluded for the establishment of a Provisional National Government in Paraguay, and on the 17th it was elected. Concurrently Lopez lost the moral support of General McMahon, [Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. E E

the United States Minister, who was recalled by President Grant, but only to transfer his advocacy of the cause of Lopez from his head-quarters to Washington ; where, however, his advocacy was to encounter the stern opposition of his predecessor, Mr. Washburn, and has met with no encouragement from the Government of the United States.

The effective operations of Comte d'Eu did not commence until July, 1869, and the space left at our disposal would alone prevent our following them in detail. Tenacious, however, as has been the resistance of Lopez to the advances of this young and active commander, it has been impotent. Step by step he has been forced from point to point ; Ascurra has been taken, Lopez's foundry destroyed, detachment after detachment cut off ; Lopez has been forced into the mountains of Maracuzu on the Brazilian frontier of Mato Grosso, and his situation there rendered so desperate that one-half of the Brazilian army and the entire Argentine Contingent have been ordered home, and the war while we write is approaching termination by his exhaustion and despair. Still, however, he hopes against hope for some declaration in his favour from the United States.

In substance then the Alliance of Brazil and the Argentine and Uruguay Republics, to punish his ambition and aggression, to substitute free and native government in Paraguay for that exclusion and despotism and military spirit which involved the Plate in war, to reopen the free navigation of the rivers, and to secure Brazil access to its upper provinces, has already been successful. While the causes of the enormous injury of Paraguay, of the devastation of its territory, of the suspension of its industry, of the destruction of its population, and of the heavy cost of the Allies in money and men, have now been traced to their origin, the opportunities Lopez had of terminating the struggle have been shown, his true character has been exposed, and the impossibility of coming to any terms consistent with his continued rule in Paraguay has been established. There is no romance in the true story, and sympathy with such a man is idle. Humanity, civilization, as well as safety and freedom from prolonged mischief and danger, were from the first on the side of the Allies. It was a war forced on the other three powers of the Plate. Acceptance of that war and alliance on their part, and persistence to the bitter end, were unavoidable to them if the Plate were to be their common possession, if their own territories were to be held intact, if an ambition which aimed at empire were to be curbed and punished, if European colonization were not to yield to Guarani fanaticism wielded for purely selfish purposes.

And now that the career of Lopez is in all human probability at an end, the surviving population of Paraguay, emancipated

from the cruel yoke and remorseless despotism of its succession of tyrants, is showing better qualities. It is rallying round the freedom that has liberated it from Lopez; it will return to industry without loss of territory, without burthens imposed by the war, free to work out its own redemption upon the single conditions that it respects the peace of the Plate, and reconciles itself to the subordinate position derived from its geographical situation and its constituent elements, and from the legitimate requirements of States which possess the upper and lower waters of the Plate.

The war over, Captain Burton anticipates the Allies themselves will quarrel. About what he does not add. A common danger has brought the Spanish and Portuguese powers of the Plate for the first time into complete and cordial accord. Not once during the prolonged hostilities have differences arisen. Senor Sarmiento, the present President of the Argentine Republic, in his message to Congress in May last justified the Alliance which his predecessor formed. And General Mitre, his predecessor, has, in a correspondence lately published, told his countrymen that they had more interest in the war than Brazil, and applauded the fidelity of the Empire to its engagements.

"The war," he says, "was commenced against the Argentine Republic when occupied with the double task of completing the national union and organization. Paraguay had also declared war against Brazil; that Empire was consequently," he remarks, "more than a natural ally, it was a real ally.

"This fact was recognised in a protocol, and the treaty of Triple Alliance was signed upon the drum by the same combatants who were going to seal it with their blood, and in presence of the common enemy who had invaded our respective territories.

"Orientals and Argentines contributed for repulsing the Paraguayan invasion into the Brazilian territory of Rio Grande.

"The Brazilians on their side contributed for repulsing the same Paraguayan invasion into the Argentine territory of Corrientes. Then we threw ourselves united into the enemy's country with the resolution to put down the barbarous government which had provoked us to war, seeking hereby the guarantee for the future peace of these countries and outraged humanity—redeeming the Paraguayan people."

Why an alliance thus begun should after success result in quarrels, it is difficult to imagine. It is surely more likely to give the Plate, what it has never before thoroughly enjoyed, permanent friendship among the States which have repelled and punished a common aggressor.

The cost of the war, especially to Brazil, has been enormous, though in popular calculation greatly exaggerated. But large

as its cost to the Allies has been, it has not interrupted their material progress. Population is pouring into the Plate from Europe at the rate of 1000 a week, and during its progress the production and exportations of Brazil have attained figures they never before reached, and the loan which it raised in London at the beginning of the war at 74, is now quoted at 88.



ART. IV.—THE ENGLISH PARLIAMENT AND THE IRISH LAND.

1. *The Irish Land Bill*; introduced by Mr. W. E. GLADSTONE, Mr. CHICHESTER FORTESCUE, and Mr. JOHN BRIGHT. (Parliamentary Paper.)
2. *Irish Land Questions, plainly Stated and Answered.* By JOHN GEORGE MACCARTHY. London: Longmans, Green, & Co. 1870.
3. *Ireland: Industrial, Political, and Social.* By JOHN NICHOLAS MURPHY. London: Longmans, Green & Co. 1870.
4. *Letters on the Land Question of Ireland.* By W. O'CONNOR MORRIS, Special Commissioner of *The Times*. Longmans, Green, & Co. 1870.

THE task of pacifying Ireland, which Mr. Gladstone pledged himself two years ago to accomplish, has proved no such simple achievement as in the heat and fervour of the general election it may have appeared to zealous partisans. The monstrous grievance of Established Anglicanism in Catholic Ireland has indeed been redressed, but the anticipated fruits of that noble though tardy act of justice have not yet ripened. An imperative necessity existed for the inception of radical measures of reform by the English Government in regard to the tenure of land in Ireland, and though it was expedient, or seemed expedient, to defer the consideration of this subject until religious equality had been completed by the disendowment of the Anglican Church established in Ireland, yet Mr. Gladstone had not failed from the outset to mark emphatically his conviction that the Church question and the Land question were cognate and closely connected grievances, "branches of the one great tree

of Protestant ascendancy." From this public assertion of a fact which no careful and impartial student of Irish affairs had ever doubted, it followed that the work attempted under promising omens by the strong and united Liberal party in the first Reformed Parliament required for its completion the re-adjustment of the relations between landlord and tenant in the sister kingdom.

The difficulties lying in the path were many and obvious. To ask a landlord Parliament—an assembly in which the mass of the agricultural population had no representatives whatever—to consider the expediency of disturbing a legal arrangement of property in land, consecrated by time and confirmed by conquest, which gave the proprietor all the rights and left none for the occupier, was, for one thing, a bold demand. It is true that recent political changes, and still more recent political discussions, had awakened by slow degrees one important section of the English nation to the momentous interest attaching to all those problems which depend upon the distribution, the tenure, and the transfer of property in land. The workmen of the towns have been educated in some degree by the popularized results of modern economic science and political philosophy; they have been taught in all seriousness to examine how far it is good for the nation that the soil of the country should continue to be monopolized by a few. Without doubt the growth of this spirit among the newly-enfranchised masses has lent a marvellous energy to Mr. Gladstone's policy, for no statesman is quicker than the present First Minister to perceive, to be inspired by and to cast himself confidently upon, the rising wave of a popular enthusiasm. The Liberal majority returned in the English boroughs was not pledged to a distinct agrarian policy, but it was unanimous in the expression of discontent with existing arrangements. The influence of the independent tenant farmers was powerfully felt in the composition of the Liberal party in Scotland; and in Ireland the demand for tenant-right was one of the main articles of the Liberal faith. With these elements of support or sympathy—and to them may be added the energy of partisanship, the personal popularity of the Minister, and the impulse derived from the late overthrow of ecclesiastical Conservatism—Mr. Gladstone prepared in the recess of 1869 to mature the measures which he deemed necessary and sufficient for the reconstruction of the land system of Ireland.

In various ways opinion was ripening and gathering volume in his favour. The attack on the Establishment and its fall, the activity and persistence of Fenianism, the dangerous uncertainty of our relations with the United States, had contributed

to make Ireland, as Lord Stanley had phrased it a short time before, "the question of the hour." Long before philosophers and statesmen of the far-seeing order had discerned the inevitable necessity of dealing in a broad and bold spirit with the tenure of land in the sister kingdom, but it was not till events began to speak with a sternly monitory voice that politicians and journalists took courage to face the problem. The Conservative party in last year's Parliament had taunted their opponents with inconsistency in dealing first with the less important question of the Church Establishment, leaving untouched the more vital interests concerned with the land. It was understood that Mr. Gladstone did not decline the challenge, and that the Session of 1870 would be chiefly occupied with the discussion of a measure of agrarian reform. Ireland became the scene of amusingly perfunctory and pretentious researches on the part of holiday-making members of either House; Irish affairs were made the staple of dreary "extra-parliamentary" discourses, of pamphlets innumerable, and weightier volumes not a few. The newspapers teemed with letters suggesting every kind of practical and unpractical reform, and in their own way the Irish peasantry drew attention to the urgency of their case by shooting down a larger proportion than usual of unpopular landlords. *The Times* sent a Special Commissioner across the channel with particular instructions to be candid, and "Rory on the Hill," the latest Avatar of the Ribbon Rhadamanthus, gratified the appetites of sensation-seeking readers with a constant succession of threatened and accomplished crimes.

By slow degrees opinion took definite form and colour both in England and Ireland. At first it seemed—and perhaps there was more than seeming—as though the members of the Government had not themselves made up their minds. The master spirits of the Cabinet were reticent: Mr. Gladstone and Mr. Bright were long silent and pleaded for needful rest after the labours of the preceding Session. It was left to the mild representatives of the old Whigs to strike discordantly and falteringly a feeble note or two. In Ireland the Marquis of Hartington warned the tenants on the Cavendish estates that extravagant demands on their part would produce no satisfactory fruits, but in England Lord Clarendon redressed the balance by denouncing as "felonious" the conduct of those landlords who dispossessed their tenants and seized upon their improvements. Meantime evidence was accumulating and principles were slowly developed. The views familiar to all students of Mr. Mill's works did not obtain much favour in this country, but in Ireland they took deep hold upon the popular mind. The Farmers' Clubs revived the cry for fixity of tenure at reasonable rents, which long before had been

one of the objects of O'Connell's political agitation under the phrase of "a valuation and a perpetuity." Attempts originated by the score in the English press to find some middle path, and several of them have been noticed more or less fully in the pages of this Review. Here we may refer in passing to the acute and philosophical little work of Mr. George Campbell, whose suggestions singularly foreshadowed the recommendations of *The Times'* Commissioner and the more important provisions of the Ministerial Bill. Towards the beginning of the new year, and especially after Mr. Bright's speech to his constituents at Birmingham, it came to be pretty generally understood that Ministers were not prepared to accept "fixity of tenure," and that Mr. Gladstone's measure would be limited to the legislative encouragement of what it grew to a fashion to call "security of tenure."

Such was the course of events up to the opening of the Session in February, and it has been useful to cast a rapid glance backwards in order to understand the position in which the Ministry was then placed. On the one hand the demand for fixity of tenure in Ireland had swelled into a passionate cry; on the other hand the disturbed condition of the country, the terrible tale of outrage and menace repeated day by day, gave occasion to the enemies of healing legislation to point the finger of scorn at what they called the wretched consequences of the great measure of justice accomplished in the preceding year. Yet Mr. Gladstone, in spite of these discouraging appearances, might well rejoice that opposition had so far been allayed that it was all but universally recognised as important, not only to deal immediately with the Irish Land question, but to raise the fabric of reform on a wide and enduring basis. The Conservative party was not prepared to fight upon the ground of principles, however ready to harass the Ministry on the details of their scheme.

Mr. Gladstone did not allow the grass to grow beneath his feet in the present Session. A week after the Royal Message had announced to the assembled Houses that her Majesty's Ministers were preparing a comprehensive measure dealing with the relations of landlord and tenant in Ireland, the Premier himself obtained leave to introduce the Irish Land Bill. The expository speech of the Minister was a remarkable example of his power of welding complicated details of legislation together into a harmonious and coherent oratorical form. And although it fell short of the eloquence and confident energy of statesmanship which had marked the similar oration of three hours' length in which the scope of the Irish Church Bill was unfolded in the preceding Session, yet it deserves to be ranked among the greatest of Mr. Gladstone's ministerial deliverances. The full purpose and line of action of the Government was placed in this speech

before the House, and the gravity of the occasion left no room for debate. The temporary illness and absence of Mr. Disraeli, as well as the more serious and deplorable absence of Mr. Bright, contributed to extinguish immediate discussion. Mr. Hardy uttered a few sentences of hesitating criticism, but on the whole an approving murmur indicated that the House was prepared to accept Mr. Gladstone's measure as at least a satisfactory basis for settlement. The press in general concurred; the Conservatives were rather pleased to think that they had been let down lightly, and the Liberals were in some measure satisfied with the admission of principles, hitherto never recognised by Ministers or Parliaments, with respect to the tenure and transfer of property in land. In Ireland, however, where the demand for fixity of tenure had been pressed with much noise and urgency, there was some evidence of disappointed hope. The party styled "Nationalist," which held it treason to the idea of independence so much as to tolerate the notion that any legislation attempted by the Imperial Parliament could be of service in remedying the evils of Irish society, laboured hard to increase the violence of this natural, if not reasonable, disappointment. Many of the Farmers' Clubs in Ireland united in angry remonstrance or in adverse criticism; so that immediately before the second reading, which was fixed for the 8th of March, the general tone of opinion was far less favourable to the measure than it had been three weeks previously. In the newspapers and the thickly falling rain of pamphlets, jurists, economists, and politicians assailed the principles and details of the Bill with importunate severity of comment.

But the most serious difficulty that Mr. Gladstone had to contend with presented itself on the very eve of the second reading. The Irish representatives had been grievously exercised in spirit during the interval between the introduction of the Bill and the 6th of March, when a large number of them accompanied a deputation from a National Conference held in Dublin to Downing Street. Many "Caucuses" of the members from Irish constituencies had been held previously, and the Conference alluded to had passed resolutions condemnatory, to a great extent, of the Bill. The Premier of course promised attentive consideration of all that had been urged, but his language implied that, as the Bill had been carefully drawn to meet conflicting interests and prepossessions, no very extensive alterations would be possible.

Before we glance at the result of the debate on the second reading, the issue of which in favour of the Government was assured from the outset, we may briefly explain the leading provisions and operation of the Bill. The readers of this Review do not need to be told in what form the evils of insecurity of

tenure and of landlord absolutism had affected Ireland. One of the works whose titles we have quoted at the head of this paper concisely sums up the defects of the legal settlement of land in that country. Mr. J. G. MacCarthy, in a very able and tersely written little book, "*Irish Land Questions plainly Stated and Answered*," puts in the form of three pertinent queries the whole gist of the case that can fairly be made against existing arrangements of tenure. (1) "Is it a sound politico-economic principle that landed property should be enjoyed by very few persons, and that these persons should have very limited interests?" (2) "Is it a sound politico-economic principle that the cultivator should be uncertain as to the conditions and duration of his tenancy?" (3) "Is it a sound politico-economic arrangement that improvements should be made by the tenant, and that when made, they should be the property of the landlord?" The answer to these questions must be of course in the negative, and hardly needs to be enforced by the three tests, "The test of Experience, the test of Science, and the test of Comparison," to which Mr. MacCarthy subjects them. These are the difficulties arising out of ancient social animosities, feuds of race and creed, the smouldering fires long since kindled by successive conquests and rebellions.

In dealing with the question of limited ownership and limited interests, Mr. Gladstone of course had to step cautiously, for in a Parliament where the "great governing families" and the hereditary possessors of broad acres have still a predominant influence, it is not easy to strike a blow at the system of large estates and primogeniture. But he had one advantage in taking up these particular parts of the great problem of the land, that he was able to promise that his measures for the amendment of the laws relating to the succession and alienation of property would be applied to England equally with Ireland. Mr. Locke King's familiar project of law for the abolition of the right of primogeniture as affecting the succession to real estate in cases of intestacy, received a pledge of Ministerial adoption, and a further promise was given of a long-demanded and long-expected Bill for facilitating the transfer of land. It is obvious that the beneficial results of these measures must of necessity be slow in their manifestation and restricted in their scope. In this country of entails and settlements, it is only in the rarest instances that a case of intestacy occurs where the deceased has been absolute owner of real estate, and though the transfer of real estate by sale is a more frequent operation, its effect on the mass of landed property in the United Kingdom is—even if we take into account a number of years so considerable as to embrace the life of a generation—hardly to be called other than trivial in its effects.

But it was to remedy more especially the two remaining evils of Irish tenure of which Mr. MacCarthy speaks—the insecurity of the farmer in the occupation of his holding, and the right of the landlord to confiscate the tenant's improvements—that the Government introduced the Irish Land Bill. Let us examine how that measure proposes to make the tenure of the farmer more secure, and to vest in him the property in those material, substantial, and abiding improvements of his farm in which he has sunk his capital, and on which he has bestowed his labour.

In one part of Ireland—in the province which suffered most cruelly of all from the iron pressure of conquering England, but which through that very suffering attained in process of time a measure of strength, security, and liberty unknown to the rest of the country—there has existed, at least since the beginning of the last century, a practical, though indeed an imperfect and uncertain remedy for the evils which pending legislation is designed to remove. Tenant-right as established in the North, by “the gracious custom of Ulster,” has grown up out of the stubborn resistance of tenantry—in whom was a large infusion of Anglo-Saxon settlers—and the politic “concessions of landlords. It was well known throughout the “Protestant North” that any landlord who attempted to break “the gracious custom,” would become subject to penalties more terrible than those which any court of law could enforce, and thus the sanction necessary to make a law operative which the will of the people had decreed was provided by the menace of murder. Over and over again witnesses have deposed before the Devon Commission, and on later occasions—nor does Lord Dufferin himself, the keenest opponent of Ulster tenant-right, deny the fact—that an attempt to uproot the custom would result in a sanguinary civil war. Yet although the custom has subsisted and been recognised in practice in the greater part of the North of Ireland during five generations both by landlord and tenant, although no man dare enter on possession of a farm in the districts where this custom prevails without paying the previous occupant the ordinary and legitimate price of the goodwill, the courts of law have never sanctioned the usage. The first great change which Mr. Gladstone's Bill works is the enactment that wherever this custom exists, it shall be held binding in law.

From a useful and ably-written pamphlet on this question* we extract the following definition of the Ulster tenant-right, which Mr. O'Connell originally framed and presented in a Report to the Repeal Association.

* “The Irish Land Question.” By Richard Adams, *Southern Reporter* Office, Cork.

The report comments on the evidence and report of the Devon Commission, and goes on to say—

“That it also appears from the report of the said commissioners and of the Committee on the Townland Valuation of Ireland, that throughout the greater part of Ulster the practice of tenant-right prevails, and that along with it are found industry, comfort, and peace.

“That according to the practice of this right no person can get into occupation of a farm without paying the previous occupier the price of his right of occupation or goodwill whether the land be held at lease or at will.

“*That on the ejectment of any occupying tenant he receives the full selling value of his tenant-right, less by any arrears due to the landlord; but this does not extend to middlemen.*

“That the same custom, recognised as it is by law, prevents the landlord who has bought out the tenant, or otherwise got into possession of a farm, *from setting it at such an increase of rent as to displace tenant-right.* Thus middlemen are almost unknown, and *the effect of competition for land is principally to increase the value of the tenant-right, not the amount of the rent.*

“*That tenant-right exists even in improved land, and that five years' purchase is an ordinary price for the tenant-right of such land, while fifteen or twenty years' purchase is often given for the tenant-right of highly-improved farms.*”

Perhaps these provisions of the customary law suggest a reason equally cogent with the oft-quoted Anglo-Saxonism, Protestantism, and manufacturing industry of Ulster, for the painful difference between the northern province and the rest of Ireland.

The difference has been always acknowledged, but it has seldom been more forcibly presented than in one short statement in the pamphlet already quoted—

“In Ulster (says Mr. Adams), to speak roughly, agriculture progresses, trade flourishes, hunger is all but unknown, the people are well fed, well clad, well housed, and well educated. In this province alone the busy hum of manufacturing industry is heard; in this province alone the landscape is diversified with those tall chimneys—objects of aversion to the artist, but dear to the patriot's heart—the signs of plenty and prosperity, of industry and its rewards. I cannot better mark the varying pictures presented by Ulster and Munster than by referring to the condition of two great cities which epitomize the state of each province—I mean Limerick and Belfast. The “Queen City,” by the lordly Shannon, had a great name in Irish history when on the shores of Lough Swilly, where Belfast now stands, there clustered but a few fishermen's huts. Within a century Belfast has advanced with gigantic strides, growing daily in size, in wealth, in importance, in population, till now it promises to one day rival the great hives of Lancashire industry—to be a Manchester in

the manufacturing, a Liverpool in the commercial world. One would imagine that Belfast's eldest sister, situate in the heart of a valley of matchless fertility, on the banks of the noblest river in the three kingdoms, would rival in its present wealth its historic fame and ancient importance. Alas! Limerick is a city of the dead. No man who loves his country can spend a few days in Limerick without feeling his heart sink within him. The town appears under the spell of some malevolent fairy. Some of its finest portions are in ruins, and the last time I was in Limerick *I saw men cutting a splendid crop of hay off the Custom-house Quay*. In that little matter the condition of Limerick is thoroughly reflected."

The custom that has made Ulster prosperous is then, according to Mr. Gladstone's Bill, to be recognised as law, but to be recognised only for Ulster. Where like customs exist in the other provinces they receive only a partial recognition—that is, the occupier can plead the custom against the landlord in case of wanton eviction; but when he chooses voluntarily to quit his holding he will not, as in Ulster, be allowed to sell the goodwill of his farm to the incoming tenant. This distinction has been felt as a grievance and, considering that Ulster is not the part of Ireland for which what Mr. Mill calls "the heroic remedy" of a Land Bill was especially required or demanded, it does not seem easy to find a justification for it.

But over the greater part of Ireland no customary right whatever, neither the usage of Ulster nor any more limited condition of property in the soil, protects the tenant. How then is protection to be afforded him? Against insecurity of tenure one partial remedy is provided; against confiscation of improvements another. It is proposed that when a tenant is evicted from his holding without reasonable cause—that is, for any other cause, practically, except non-payment of rent—he will be entitled to claim compensation, the maximum of which is fixed in proportion to the rental, according to a certain graduated scale, of which we shall presently have something to say. The assessment of the compensation is to be left to the local tribunals hereafter to be mentioned, and except in the case of occupations rated according to Sir Richard Griffith's valuation at more than 100*l.* a year, any contract between the landlord and the tenant extended to bar the claim of the latter under this clause will be held null and void. This infringement of freedom of contract is very offensive to some landlords, but the small farmers of Ireland do not know what freedom of contract is. They have only three careers before them in life—the land, the workhouse, and a flight across the broad seas to the home of prosperity and Fenianism. The law recognises the necessity of protecting many classes of persons against their own deliberate engagements, and of invalidating many kinds of contracts.

It refuses to recognise a man's right to sell himself as a slave in England. Why should it recognise the right of the Irish peasant to assign himself to a landlord as a serf *adscriptus glebæ*?

Against confiscation of improvements the remedy provided seems so simple and obvious that we are astonished that even in a Parliament of landlords its application could have been reserved for this year of grace 1870. So long ago as 1852 a Conservative Government, of which the late Lord Derby and Mr. Disraeli were the chiefs, and the Irish policy of which was directed by Lord Mayo and Sir Joseph Napier, proposed a method of dealing with the conflicting claims of tenants and landlords in respect of improvements which reposed at all events upon a basis of equity. It is not creditable to the Liberal administrations which subsequently ruled the country that this proposition was allowed to lapse, and that for eighteen years the tenant farmers of Ireland were subjected to the iniquitous law which, in direct contradiction to the acknowledged facts of Irish tenure, invested the landlord absolutely with a proprietary right in all improvements effected by the tenant. However practically just this law may be allowed to be in England, where the improvements on agricultural holdings are almost without exception made by the landlord, in Ireland the result is grossly and disastrously unjust; for, except in the rarest instances, the improvement of farms is left, according to the custom of the country, to the occupiers themselves. And inasmuch as the existing law transfers the property in such improvements, when effected by the tenant, at once, and by mere legal presumption, to the landlord, the agricultural holdings of Ireland have not at all kept on a level with those of England and Scotland in augmented rental or productive increase.

The first great amendment—and it is one which strikes deep and extends far—that Mr. Gladstone's Bill introduces is an absolute reversal of the legal presumption which at present endows the landlord with all the improvements effected by the industry or the capital of the tenant. Henceforward the increased value of any farm will be accepted *prima facie* as the result of the occupier's enterprise or investment of capital; and if the landlord, as is sometimes the case even in Ireland, has provided the means for draining the property, or for building, or for fencing, he will be obliged to produce legal evidence of the fact. Then landlords of Ireland can hardly complain of this; for the position of a landlord is far more favourable for the record and production of such evidence than that of the tenant—especially in the case of tenants so ignorant and timid as the small farmers of Ireland.

But valuable as this amendment of a flagrantly unjust law

must undoubtedly be held, it would be of little use if it were merely prospective in its operation. The most substantial benefit conferred on the agricultural population of Ireland lies concealed, and scarce appreciated in what is known as "the retrospective compensation clause." In the Land Bill introduced in 1852 by the Government of Lord Derby, which is still extant in the archives of Parliament, bearing the names of Sir Joseph Napier, Lord Cairns, Lord Mayo, and the Lord Chief Justice of Ireland, such a clause was inserted and was accepted with amazing unanimity by the House of Commons. All the leading statesmen of the day pleaded for its enactment. When Lord Aberdeen succeeded Lord Derby, the measure of the Conservative Ministry was taken up by the Coalition Cabinet, and it passed through the House of Commons under the guidance of an administration in which Mr. Gladstone was Chancellor of the Exchequer. It was too late in the Session to carry the Bill to the Upper House; and moreover the troubles of the Russian war were darkening the political atmosphere. So the "retrospective clause" was dropped, yet not without receiving memorable sanction. It was affirmed in two divisions; in the first, as Mr. Butt has recorded in his able pamphlet, the tellers were Mr. Napier and Mr. Cairns; in the second the tellers were two members of Lord Aberdeen's administration. The most Conservative and the most Radical of statesmen gave their votes for this measure of equity—Sir Robert Inglis, Sir William Molesworth, Mr. Sydney Herbert, Sir James Graham, Mr. Wilson Patten, Mr. Cardwell, Sir Alexander Cockburn, Mr. Napier, Mr. Whiteside, and many other names revered in our Parliamentary history appear in the roll of the majority which twice affirmed the clause.* In the following year another Government took up the same measure, when introduced by Sergeant Shee; Lord Palmerston, the Premier, voted for it; Sir George Cornewall Lewis and Sir George Grey, certainly no representatives of revolutionary opinions, voted for it. It was, however, rejected at the close of the Session of 1855, and thenceforward disappeared from the catalogue of Ministerial projects.

Mr. Butt puts a dilemma not easily avoidable when he asks, if in 1853 and 1854, according to the declarations of Parliament, the Irish tenant had an equitable claim to a property in the improvements which he had effected, how has the exercise of the landlord's legal privileges in the following sixteen years been justified? The question is more easily set aside than answered,

* "A Plea for the Celtic Race." By Isaac Butt, Q.C., p. 95. Mr. Butt's subsequent opinions somewhat modify the argument of this clever tract, but his historical summary retains all its value.

but we may be satisfied at all events that Mr. Gladstone, after the lapse of so long an interval, has revived this plain measure of justice in a form that admits of no dispute or extenuation. The "retrospective clause" in the present Bill vests in the tenantry of Ireland a large property to which they have no legal right at present, but which on every moral principle of ownership is theirs. This property the landlord cannot confiscate; he cannot get rid of his tenant without compensating him not only for improvements effected in the current year, but for those in which the occupier has invested during the previous twenty years. The terms of the clause are plain;* and the effect of the provision is to confer upon the industrious tenant a more ample security against wanton eviction than any enactment short of absolute fixity of tenure could bestow.

The foregoing restrictions of the landlord's privileges and defences devised for the tenant are to be secured by a legal system not new in Ireland. The Quarter Sessions Court, which in the sister kingdom is happily not presided over by the "great unpaid," but by an "assistant barrister," who is chairman *ex officio*, and practically has unqualified judicial power both in matters criminal and civil, is established as the tribunal of first instance in these matters. Questions of compensation arising between landlord and tenant will, according to the Bill, be referable to the civil side of the assistant barrister's court, with an appeal to a Land Causes' Court sitting in Dublin. The tribunals will be empowered to take into consideration "the equities of the case," and will thus be able to prevent a landlord from raising his rent to an exorbitant sum. Where both parties agree an arbitration will be held binding in law.

* A tenant shall not be entitled to any compensation in respect of any of the improvements following, that is to say,—

- (a) In respect of any improvement made twenty years before the passing of this Act except permanent buildings and reclamation of land; or,
- (b) In respect of any improvement prohibited in writing by the landlord as being and appearing to the Court to be calculated to diminish the general value of the landlord's estate and made within *two* years after the passing of this Act or made during the unexpired residue of a lease granted before the passing of this Act; or,
- (c) In respect of any improvement made either before or after the passing of this Act in pursuance of a contract entered into for valuable consideration; or,
- (d) (Subject to the rule in this section mentioned as to contracts) in respect of any improvement made, either before or after the passing of this Act, in contravention of a contract in writing not to make such improvement; or,
- (e) In respect of any improvement made either before or after the passing of this Act, which the landlord has undertaken to make, except in cases where the landlord has failed to perform his undertaking within a reasonable time.

To check in some degree the disastrous profusion with which notices to quit have been showered by some landlords, who revel in the insecurity of their tenants, Mr. Gladstone has proposed not only to extend the time for which a notice to quit must be issued, but has imposed a stamp duty of half-a-crown upon each of those documents. As Irish landlords, in spite of their reputation for prodigality, have not been, in recent years at all events, addicted to expensive pleasures, it is to be hoped that this wise provision will curtail an indulgence which perhaps accounts for some of the agrarian crimes of which we have lately heard so much.

The creation of a peasant proprietary without any violation of the laws of political economy, has been a favourite project with Mr. Bright, and the Bill contains clauses for the furtherance of this scheme. It is proposed that whenever the tenant is willing to buy and the landlord to sell any particular holding, the Board of Works shall be empowered to advance three-fourths of the purchase money, which is to be charged as an annuity upon the property, terminable in twenty-two years, and assessed at $6\frac{1}{2}$ per cent. a year upon the money advanced. Thus a tenant paying 20*l.* per annum would probably be able to buy his holding for 400*l.*, or twenty years' purchase, of which the Government would pay over 300*l.* at once to the landowner, and the tenant would be compelled to produce 100*l.* The property would then pass in absolute fee to the latter, subject, however, for a term of twenty-two years to six and a half per cent. upon the 300*l.* lent by the Government. The tenant accordingly would have to pay 19*l.* 10*s.* a year for that time, not to speak of the direct investment of his own 100*l.*; but at the end of the period he would hold the land without any further rent or charge whatever. During the term appointed he would be so far in a superior position to that which he previously occupied that he need fear neither an increase of rent nor a confiscation of his improvements.

Further provisions empower the Board of Works to grant loans to landlords on similar terms, for the improvement of waste lands, and for compensation to tenants for improvements in cases where eviction was not without due cause. The Landed Estates Court is authorized to afford facilities to tenants for the purchase of their holdings, and advances are to be made for this purpose also by the Board of Works. The result of all these clauses appears to be that a very large share of the public money may be invested in the purchase of the soil of Ireland to the occupying cultivators, the State retaining the right to recover its outlay in annual instalments. The transactions of the Board of Works are strictly subjected to the control of the Treasury, and as long as Mr. Lowe is Chancellor of the Exchequer it is not likely that official extravagance will receive any sanction in high

places. The annuities by way of repayment received by the Board are to be paid in to the credit of the Consolidated Fund.

On the eve of the second reading of the Bill a large deputation, representing the interests in Ireland which objected to the Ministerial measure as falling short of the necessities of the case, was introduced to Mr. Gladstone by a number of his parliamentary supporters, at the head of whom was Mr. Bryan, who subsequently led a forlorn hope in moving the rejection of the Bill. The closing sentences of Mr. Gladstone's reply to the deputation were remarkable.

"The Government," he said, "had, in fact, had three powers acting upon them, and each in a different direction. They had in the first place to consider the opinion of the Irish people, for they felt that if the measure which they brought forward for the settlement of this important question failed to satisfy public opinion in Ireland, it would reflect a shame and a scandal both upon Ministers and Parliament. The Irish people should, however, in forming their opinion, recollect that the Government had also to satisfy what he might call Imperial opinion—the public opinion of England and of Scotland—which would not permit any Government to carry exceptional legislation in the case of Ireland to a point which was calculated to produce a rupture of our social relations. He wished them especially to bear this in mind, as he was aware he had been charged with having said that Ireland was to be governed according to Irish notions. No doubt he did intend to convey that in legislating for Ireland, Parliament should act in accordance with public opinion in Ireland, but the sentence quoted did not convey his meaning in its entirety. What he meant to say was not that legislation for Ireland should proceed according to the behests of Irish opinion taken by itself, but in conformity with that opinion, as modified and qualified by public opinion in England and by public opinion in Scotland. But far above either Irish public opinion, or the public opinion of the other portions of the Imperial corporation, was the principle of justice. Here they had to consider what would be the public opinion of the civilized world generally. There had been, unfortunately, a long and a bitter controversy between England and Ireland ever since the Anglo-Norman occupation of that island, in which the interests of Ireland suffered. The progress, however, of that civilization to which he had alluded had brought about a most gratifying change in the feelings of the English people in regard to their Irish fellow subjects, and there never was a time when the former felt more disposed to render the latter full justice or redress. The sympathy too of the whole civilized world had been in favour of Ireland so long as her cause rested upon justice, but there would be revulsion of English feeling and a withdrawal of that real sympathy if the Irish people were now, when an honest attempt was being made to do justice to Ireland, to refuse a fair offer balanced upon the principle he had explained."

After such a statement the firmness of the Government in a resolution [Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. F F

lution to adhere to the leading principles of the Bill could not be doubted, and accordingly the extreme representatives of the Irish tenant farmers determined to oppose the second reading. The opposition, however, was a merely formal passage of arms. Mr. Bryan moved "that the Bill be read that day six months," and was seconded by the Hon. Captain White, son of a Whig peer, but member for Tipperary, the metropolitan county of Fenianism. Seldom has so momentous a question been disposed of as to its principle in a debate so dull and unreal. On both sides of the House members rose in thick succession to testify to their grateful acceptance of Mr. Gladstone's scheme. The debate of three nights, such as it was, wandered into matters of detail which might more fitly have been left for discussion in Committee; but the hopelessness of the opposition really put the question of principle out of sight. The most vehement advocates of the Irish tenants and the fiercest champions of landlordism—The O'Donoghue and Mr. Maguire, Lord Claud Hamilton and Mr. Newdegate—while dissenting in particulars gave their assent in general to the project of the Government. The result of the division on Mr. Bryan's amendment was not only a foregone conclusion, but the whole debate was an absolute farce, and the ludicrous issue which the minority of eleven provoked, was neither unexpected nor undeserved.

Three points of detail have drawn forth particularly acrimonious and discrepant criticisms. The clause, in the first place, providing that the landlord shall be empowered to bar the tenant's claim for compensation on the score of goodwill by the offer of a lease, has been explicitly challenged both by the Farmers' Club in Ireland and by some economical writers in this country. The object of this provision is sufficiently obvious. It seemed desirable to the framers of the Bill, while they endeavoured to the utmost of their ability to protect the customary rights of the tenant, at the same time so to reconstruct the land system of Ireland as by a gradual process to extinguish tenure by custom, and to substitute for it all over the island—in Ulster as well as in the southern provinces—tenure by contract. We confess that we have no great sympathy with the end proposed, and we have still less respect for the means devised. Leases have not proved in Ireland such unalloyed blessings as some theorists imagine, and a moment's consideration will show that a tenancy at will is not worse even under existing evils than a leasehold subject to an exorbitant rent, such as Irish tenants, influenced by an unreasoning spirit of competition, too often accept from rapacious landlords or their over-zealous agents. Such a lease, reserving a rent which neither the tenant is able to pay nor the landlord expects to receive, simply places the former as a bond-slave at the mercy of the latter, tying the hands of the one and leaving those

of the other free. Such a lease—of which may be taken as a type those singular contracts that Mr. Scully of Ballycohey exacted a short time ago from his unfortunate tenants, and the enforcement of which led to bloodshed, or rather to what might be called a scene of civil war in the fairest part of the fertile county of Tipperary—is not so great a boon to the hard-working farmer that it ought to be allowed to bar his claim for compensation in case of wanton and unjustifiable eviction. Yet this, if we rightly interpret the somewhat complicated provisions of the Bill, is what the Ministerial plan would practically operate to produce. It is true that in a remarkable debate, especially instructive as an indication of the popular temper in Ireland on this question, which took place in the Cork Farmers' Club soon after the introduction of the Bill, one speaker, Mr. Richard Adams, the author of a clever little pamphlet entitled "*An Essay Chiefly Devoted to the Historical Aspect of the Irish Land Question*," ably defended the Ministerial measure, and endeavoured to prove that the local tribunals constituted by the Bill would be empowered to inquire into the fairness of the contract, the reasonableness of the rent, the justice of the covenants, and the virtual as well as the legal tenure of the occupier. We are afraid that this is a roseate view of the Bill as it stands—a too generous reading of not very generous dealings with the necessity, the poverty, the ignorance, and the weakness of the Irish tenant. We can gather no indication from the terms of the Bill that a contract is to be regarded, after it has once been agreed to by the contracting parties, as anything else than an engagement strictly binding on both. If we could insure that every landlord were to give a fair lease, in the sense of a lease really representing the rent which he expected to receive from his tenant, we should not feel any strong hostility to this clause, although in any case we anticipate no permanently beneficial results from a leasing system which fails to create in the mind of the cultivator a feeling of ownership and a spirit of enterprise.

The second question of detail which has excited debate has reference, like the preceding one, to the compensation for unjustifiable eviction or "payment for goodwill." The amount of this compensation is to be assessed by the local courts, subject, however, to a maximum fixed upon the basis of the rental and according to a graduated scale. This graduated scale owes its origin to an honest though, as we believe, a mistaken desire to give the small farmer a greater protection than the large farmer against the oppression or caprice of the landlord: it was devised originally, we are informed, by the representative of an Irish county comprehending the largest agricultural population in the sister island, and was adopted beyond a doubt by Mr.

Gladstone with the sole intention of making the security of the petty occupiers doubly sure. The scale of compensation thus fixes the maximum :—

“ In the case of holdings valued under the Acts relating to the valuation of rateable property in Ireland at an annual value of—

- (1) 10*l.* and under, a sum not exceeding *seven* years' rent.
- (2) Above 10*l.* and not exceeding 50*l.*, a sum not exceeding *five* years' rent.
- (3) Above 50*l.* and not exceeding 100*l.*, a sum not exceeding *three* years' rent.
- (4) Above 100*l.*, a sum not exceeding *two* years' rent.

Now this arrangement, however excellent its motive, is not likely to operate satisfactorily in Ireland ; at least if the object of legislation on this question be not so much economical as political, if it be rather intended to make the small farmers of Ireland contented than to extirpate the class and supplant them by farmers of a more prosperous order, then the clause in question is vitiated by a patent error. It is obviously for the landlord's interest to have the maximum claim for compensation chargeable on his estate as small as possible, for even though the charge be only contingent, it would yet affect the marketable value of the property. If therefore a certain portion of land—say 100 acres—were cut up into ten farms of ten acres each, the proprietor would be liable on resorting to eviction for any other cause than non-payment of rent to the maximum compensation claim of seven years' rental from each tenant ; but the larger the farms, according to this graduated scale, the less would be the contingent charge upon the estate, and the greater therefore the landlord's saleable interest. Nay, more—there is an absolute vanishing-point, not far removed out of view, at which the claim of the tenant to compensation for eviction may be voided by contract with the landlord. When the holding is valued at more than 100*l.* a year in the poor law valuation, the landlord and tenant are left free to contract as they please. The direct operation of this clause is not very objectionable, because a man occupying a farm worth 100*l.* a year ought to be independent enough to protect his own interest ; but its indirect effect would unquestionably be the presentation to the landlord of the strongest inducement to consolidate farms and to extirpate the troublesome race of small occupiers. As the clause was devised to give the small occupier greater protection than his neighbours, this result is singular enough ; yet it would not be easy to find a flaw in the reasoning by which Mr. Vernon Harcourt has established its certainty. Another motive which in this, as in the cases previously referred to, probably contributed to the adoption of the provision in question, was the desire to encourage the growth of

a contractual system in place of a customary tenure. In any point of view the clause is hardly worth keeping or worth defending. We do not go so far as to urge, with some Irish critics of the Bill, that its exterminatory effects would be sudden or violent, because, however strong the landlord's desire to consolidate holdings might be, he would be deterred from wholesale and wanton evictions by the large sums to be paid as compensation to the outgoing tenants, either under the goodwill clause or as retrospective payment for improvements.

The foregoing objections to certain parts of the Bill have been urged on behalf of the tenants, and the details at which they have been pointed originated mainly, as we have seen, in a mistaken and mischievous predilection for a system of contracts applied to the land. Contractual tenure of the soil is naturally favoured by those who desire to make land in every respect a commodity as free to be bought and sold and let and hired as anything else, with those who, so far from recognising the dormant suzerainty of the State, would strike off the last remaining links from individual ownership, and apply the doctrine that "a man may do what he likes with his own" to the possession and enjoyment of real estate. With those who think thus the purchase of the soil of Ireland by the peasant occupiers, aided if necessary by grants of public money, is a favoured method of settling the agrarian difficulty in Ireland. Mr. Bright is the most prominent advocate of this scheme, which he long ago put forward and has urged with that pertinacity which characterizes his powerful but not progressive mind. Mr. Dix Hutton has borrowed from the Land Banks of Prussia a plan somewhat different in its operation but similar in aim, and Mr. Mill has lent the authority of his great name to a project which is wider, more daring, and more immediately effective than either of the former in that it would be compulsory and not permissive. But the conception of Mr. Bright, which he put forward in his celebrated speech at the Dublin banquet, in October, 1866, is that which, with slight modification, has obtained a place in the Ministerial measure. He then proposed that a Commission should issue to buy up the estates of such absentee proprietors as might be willing to sell, and to re-sell them to the occupying tenants, the State advancing a certain portion of the sum to the new peasant owners, and receiving payment back in the shape of an annuity which in a limited term of years would cover both the principal and interest of the loan. We have already referred to the provisions of the Bill for carrying out this scheme, but Mr. Bright's idea of limiting its scope to the purchase of estates from absentee landlords has been wisely abandoned. Absenteeism is an unquestionable evil, but the absentee landlords—often rich

English noblemen—are not the worst among Irish landlords, and if expropriation be a penalty it ought not to be restricted to one class of the evil-doing or the neglectful.

Mr. Gladstone, in alluding to these provisions in his introductory speech, confessed that he did not think they would be largely availed of, and seemed to be almost careless as to the extent and manner of their operation. We are not ourselves disposed to rate their merits highly, for the reason that we have already urged, the inexpediency of taking any further steps to oust the State from the right of property in the land. Mr. Vernon Harcourt has on other grounds, and as it appears to us inconclusively, assailed the scheme in *The Times*. The terms offered by the Bill are not indeed as easy as Mr. Bright was wont to urge, or as might be made safe and practicable, according to the calculation which Mr. J. N. Murphy in his instructive volume—"Ireland : Industrial, Political, and Social"—has arrived at.* That the occupying tenant, transmuted into an owner, should pay $6\frac{1}{2}$ per cent. for twenty-two years upon the three-fourths of the purchase money advanced by the State, beside sinking in the purchase the remaining fourth, consisting of his own ready money, is a harder bargain than that below described by Mr. Murphy. But when Mr. Harcourt insists upon the annual payment of this limited annuity, as though it were equivalent to a rent, always to be exacted and capable of constant increase, he confounds two things which the Irish peasant is too practical not to distinguish; and when he complains that the purchase will eat up all the little capital which the farmer ought to employ in stocking his holding, he ignores the fact that this money is now uselessly hoarded in banks, and that the small occupier's true capital is the industry that he invests in the soil.

As the principles upon which only, in our judgment, the agrarian question in Ireland—and not in Ireland alone—can be conclusively and equitably settled have been fully explained in the last number of this Review, it is scarcely necessary to say

* An estate being bought by Government, the tenant of a farm upon it paying 40% a year rent, supposing the rate of purchase to be twenty-five years, would have to pay 1000% for his farm. This sum would be advanced him for the purpose by Government, and he would thenceforward, for a term of thirty-five years, have to pay 10% a year, in addition to the 40% he previously paid as rent; that is, his obligation would be a payment to Government of 50% a year for thirty-five years, after which the farm would be his own, rent free, for ever. This payment of 50% a year would be 5 per cent. on the 1000% advanced, of which $3\frac{1}{2}$ per cent. would be for interest and expenses, and $1\frac{1}{2}$ per cent. would, at compound interest, discharge the principal in thirty-five years. Of course, if the 1000% could be paid off sooner, it would be done, and to this the tenant's past savings and present accumulations would be directed.

that Mr. Gladstone's measure falls far short of what we believe to be at once just and expedient. Yet we cannot refuse to recognise in his attempt a thoroughness and an earnestness which distinctly mark it off from the makeshift legislation patched up in previous years by Mr. Cardwell, Mr. Fortescue, and Lord Mayo. And, in depreciating it, we should be undervaluing vastly a most striking symptom of movement towards the state of things for which we look, and of which we labour to speed the coming. The Ministerial Land Bill asserts more emphatically than any previous statute the absolute right of the State—and in certain circumstances the duty of the State—to exercise its dormant powers of ownership over the soil, to create, abolish or control contracts, to transfer interests, to limit on many sides those privileges of the landlord class which have been filched from the inheritance of the nation. It is much to have pledged the Liberal party to the acceptance of these principles; it is still more to have forced the Conservatives into acquiescence. We believe that consistently with prudence and patriotism, with political wisdom and even party policy, Mr. Gladstone might have gone much farther towards the goal, to which, knowingly or unknowingly, all English parties and all English statesmen are tending. He might have asserted the right of the State to the ownership of the soil, and the administration of tenure;—not as the present Bill does by implication merely, but in decisive and emphatic language. And in spite of the phalanx of landlords in the House of Commons, in spite of peers and squires, and of rich men who are hankering after the position of country gentlemen, we believe that if Mr. Gladstone had been bold in time, as once he eloquently warned the unreformed Parliament "to be wise in time," he would have kindled such a flame in England as no aristocratic power nor army of landed monopolists would have been able to quench. The people have hardly yet awakened to the knowledge that they themselves who work and suffer are the State, and not any governing caste of heavenborn squires. If the Prime Minister had chosen courageously and wisely he might have aroused them to this knowledge, and taught them by the assertion of a just principle, which needs only to be stated in order to be accepted, that the State, which is the organized expression of the popular will and the corporate motion of the popular energies, is the true owner of the soil.

It is not with cynical bitterness we say it, but with sincere regret, when we admit that Mr. Gladstone, in failing to unfurl the banner of a principle which may be called revolutionary, but which nevertheless is predestined to triumph, has merely been dragged down by the transitory exigencies of his party, by the abiding influences of his early training, and most of all by

the dead weight of nearly all those with whom he is associated in office to the level of that hand-to-mouth statesmanship which has mostly governed England. With half a dozen Whig peers in his Cabinet, with two or three decent head clerks for administration—by courtesy called Ministers,—with Mr. Lowe, the fanatical defender of the rights of property, and Mr. Bright, the incarnation of “the Manchester School,” what could any Minister, however disposed to take wide and original views, hope to achieve? We do not say that Mr. Gladstone consciously desired to go farther than he has gone, but we are sure he must often have felt how lamely his measures have followed the swift necessities of the case.

In its earnest spirit then, and in its vindication of rights, which the State has almost suffered to fall into desuetude, the Irish Land Bill of 1869 is a signal step in advance; nor will its practical effect, as we have shown in previous parts of the present article, be insignificant. But it will not strike deeply enough either to cut at the roots of Irish discontent or to make a final solution of the agrarian problem which vexes Ireland attainable. The Conservatives, and all who, sitting on either side of the House of Commons, are interested in maintaining the present system, feel that the Bill, though it deals a heavy blow at their extravagant privileges, supplies at least a resting-place in the steep plane down which the land monopoly is sliding fast, that it offers a *modus vivendi* sufficiently distasteful, yet better than a brief delay and an unpitied catastrophe. Toryism is winning wisdom with age, and the lesson of the democratic triumph accomplished in 1867 by the hands of Conservative statesmen has not been wholly wasted. Better would it be for Ireland, and in the ultimate issue for the English people, if the landlords in either House of Parliament proved themselves to-day what they proved themselves in 1831 and 1866. But as Conservative wisdom accepts the compromise which Liberal hesitancy offers, it lies not with any organized party in the State to labour for the rejection of the scheme, even if it were possible. It cannot be taken as a conclusive settlement either of the issues between the English Parliament and the Irish people, or between the State, the landowners, and the cultivators of the soil. Its enactment—for after the windy and unreal debate on the second reading we may fairly assume that the Bill will pass upon the Statute-book—will give landlordism a breathing-space, but the respite will not be prolonged. Principles that go to the roots of those issues are leavening the public mind. What philosophers were debating yesterday, what far-seeing politicians are urging to-day, the people—quick to learn what their interest is when they are plainly taught, and apt to follow the guidance of utility—will assuredly bring to pass to-morrow.

ART. V.—THE IMPERIAL LIBRARY OF PARIS.

1. *Mémoire Historique sur la Bibliothèque du Roy.* Prefixed to the first volume of the "Catalogue des livres impriméz de la Bibliothèque du Roy." Paris. 1739.
2. *Essai Historique sur la Bibliothèque du Roi.* Par LE PRINCE. Edition revue et augmentée par LOUIS PARIS. Paris. 1856.
3. *Rapport présenté à S. Exc. le Ministre de l'Instruction publique et des Cultes.* Par M. P. MERIMÉE, sénateur, au nom de la commission chargée d'examiner les modifications à introduire dans l'organisation de la Bibliothèque Impériale. Paris, 27th March, 1858. (In *Moniteur* of July 20, 1858.)
4. *Le Cabinet des Manuscrits de la Bibliothèque Impériale.* Par LEOPOLD DELISLE, membre de l'Institut, conservateur au département des Manuscrits de la Bibliothèque Impériale. Paris. 1868.

"THE true university of these days is a collection of books." These words, which occur in one of Carlyle's "Lectures on Hero Worship," are no less true at the present day, than when they were first uttered, now nearly thirty years ago. Indeed, they may fairly be said to be more applicable now than then; for during the last quarter of a century there is hardly a library of the first rank in Europe, which has not been more or less reorganized. To speak only of material appliances, the progress in the last twenty years in the great book collections—the modern universities, as Mr. Carlyle would call them—has been immense.

Instead of being cooped up in dingy, ill-lighted, and worse-ventilated rooms, more fitted for the days of block-printing than those of stereotyping, modern students are enabled to pursue their researches with an amount of ease and comfort hitherto unheard of, and surrounded by all that apparatus of learning which becomes every day more indispensable, and which the largest private fortune could with difficulty supply. Nor is this all; not only are readers in great libraries, such as those of Paris, Berlin, and London, supplied with nearly every imaginable material appliance, but they have the invaluable privilege of being able to consult living and intelligent guides, without whose aid the best of encyclopædias, and the most cunningly-

contrived handbooks do but serve to confuse the bewildered enquirer. Year by year, as books increase and multiply, these living keys to the treasures of literature become more and more indispensable. But there is yet another advantage which the student in a great public library has over the solitary searcher after knowledge; how often does it happen that, when we have spent days and weeks in endeavouring to clear up some doubtful point, some *vexata quæstio*, we suddenly stumble on some work which, met with at the outset, would have not only saved us many hours of unnecessary labour, but have conducted us to a surer and more exact conclusion? Now it is precisely in a great public library that this danger may be most easily avoided; your subject must, indeed, be an obscure and out-of-the-way one, if one of the assistants cannot point out to you some more advanced labourer in the same field as yourself, who can give you, in a few minutes, information which it would probably have taken you as many weeks to acquire unaided. It must, however, be confessed, that this advantage of public over private study, is more noticeable among the more sociable students on the Continent than in our stiff, reserved English world.

"There are, in Paris, three objects which may safely be pronounced to be unrivalled throughout the globe," wrote an English resident in the French capital, early in the present century; "the vast and beautiful library, formerly styled Royal, afterwards National, and lastly Imperial; the Botanical Garden, founded by the munificence of the French monarchs, formerly styled the King's Garden, and now the Garden of Plants; and lastly, the wonderful galleries of the Louvre."* According to a recent writer in the *Revue des Deux Mondes*,† the *Jardin des Plantes* is now inferior to the Botanical Gardens at Kew, in the extent and completeness of its collections, as well as in the riches of its hothouses, and the variety of their contents. If the Louvre has still no superior among picture-galleries, it is now very far from being the unrivalled collection of which Pinkerton wrote in 1805, when the conquests of Napoleon had collected within its walls, the masterpieces of the arts in every age and country. We purpose, then, to give some account, first, of the history of what is still the most extensive, if it is not the most valuable, library in Europe; and secondly, of the new reading-room of the Paris library, which, having now been open to the public for nearly two years, may fairly be compared with that of the British Museum—the pride of every English book-lover.

* Pinkerton, "Recollections of Paris." London. Two vols. Oct. 1806.

† Dec. 15, 1868.

The history of the vast collection of books which is now, after many wanderings, definitely located in the Rue de Richelieu, divides itself naturally into three periods, which, for the sake of convenience, may well be called by three of the names under which the Library has, at different times, been known. The first period is that in which the Library was nothing more than the private collection of each successive sovereign of France, which sometimes accompanied him in his journeys, and but too often, as in the case of King John, or that of Charles VII., shared in his misfortunes; it was then fitly called the "*Bibliothèque du Roi*." This period may be considered as ending in the time of Henry IV., who transferred the royal collection from Fontainebleau to Paris, and gave it a temporary home in the Collège de Clermont. Although its abode has often been changed since, it has never again been attached to a royal palace, or been removed from the capital. The second period dates from this act of Henry the Fourth's, and extends down to the Revolution of 1789, during which time the Library, although open with but slight restrictions to all men of letters who were well recommended, and to the general public for two days a week, from the year 1692, was not regarded as national property, but as an appendage of the Crown, which was indeed graciously opened to the learned, but was only national property in the same sense that the Queen's private library at Windsor is national property. Although still called the *Bibliothèque du Roi* during this period, it may well be here spoken of, for the sake of distinction, as the *Bibliothèque Royale* down to the Revolution.

In 1791, the King's library was proclaimed national property, and it was decreed that it should henceforth be called "*Bibliothèque Nationale*," which name it bore till the coronation of Napoleon as Emperor of the French, in 1805, when it was styled "*Bibliothèque Impériale*." Of course it was *Bibliothèque Royale* again in 1815, "*Nationale*" in 1848, and once again, in 1852, was declared to be the "*Bibliothèque Impériale*." It may be hoped that the day is not far distant when it will reassume the name of national, and become in freedom of government, and in amplitude of resources, one of the purest glories of a free and enlightened people. Even now it is, as far as the general public is concerned, to all intents and purposes (its internal government being excepted), as much a national library as that of the British Museum, and it is certainly in some respects a more "popular" one. Great part of its contents are freely open to all comers, without let or hindrance, and in this respect it nobly puts in practice the motto of one of its earliest librarians: "Come unto me all ye that hunger and thirst after knowledge, and I will give you rest."

Enthusiastic French chroniclers have endeavoured to trace the first foundation of their national Library to Charlemagne, without, it must be confessed, the amount of success due to such persevering efforts. There is, indeed, a kind of superstitious attachment among a certain class of French writers for the name of Charlemagne, as they persist (in spite of Mr. Freeman and the *Saturday Review*), in calling the great German Kaiser; these writers often remind us of the chronicle-writers of the middle-ages, who never considered they had done their duty unless they traced the history they had in hand, at least as far back as the fall of Troy, and were often not content to stop there, but went right back to the Creation.

Most sober historians, however, are agreed in considering Charles V., most appropriately named the Wise, as the historical founder of the present Library, or rather of a collection of books some of which may still be met with in the present Library. When we consider that among the chief modern rivals of the Imperial Library, one—the British Museum—can hardly yet be said to be a century old; another—the Imperial Library of Russia—was only founded in the eighteenth century; and our own most ancient collection—the Bodleian at Oxford—only dates from the year 1602, it must be allowed that the Paris Library may well be content to have a king who was cotemporary with our Richard II. for its founder. The inventory of the Library of Charles V. is still extant, and may be seen in the original manuscript at the Imperial Library. This catalogue was drawn up by “le Sieur Gilet Mallet, varlet du Roy, et son maistre d’hostel;” an edition of it was published in 1835, by Van Praet, one of the most celebrated of Gilet Mallet’s successors in the office of librarian to the Royal collection. No less than 910 volumes are enumerated in this “inventoire des livres du Roy nostre Seigneur, estant au chastel du Louvre;” of these 910 volumes the majority consisted of works of divinity, missals, and lives of the saints: besides these there were works on medicine, astrology, alchemy, chiromancy, and magic. The most valuable portion of its contents to modern eyes are some lives of St. Louis and several histories of expeditions to the Holy Land. In 1423, under Charles VII., a new inventory of the books belonging to the King was taken, and they were found to number only 850, many, it is supposed, having been lost or stolen during the wars of the Burgundians and Armagnacs, and during the disorders consequent on the English invasion. * These 850 volumes were at the same time estimated by three experts attached to the University of Paris, who valued the collection at the sum of 2329 livres, which would be equivalent to 1000*l.* at the present value of money. Shortly after the taking of this inventory, the Duke of Bedford, then

Regent of France, one of the earliest of English bibliomaniacs, bought, or rather pretended to buy, the whole collection. We say "pretended to buy," for the Duke appears only to have paid 1200 livres, or little more than half what the collection had been valued at six years previously. It is not known what became of the books after their purchase by Bedford; according to some authorities he sent them all to England, while others think that he caused them to be placed in a library which he had formed at Rouen. In any case they were lost to the kings of France. It is believed, however, that some afterwards found their way back to their first home.

A few books also which had originally formed part of the Library of the Louvre were saved from the rapacity of Bedford, having been borrowed by Louis, Duke of Orleans, and placed by him in his château at Blois previous to the English invasion.

Both Louis XI. and his successor, Charles VIII., seem to have exerted themselves to repair the losses sustained by the Royal Library during the disasters of the Hundred Years' War. Louis XI., as readers of "Quentin Durward" will readily believe, principally distinguished himself by his diligence in collecting books of devotion; he is also said to have added a collection which had belonged to his great enemy the Duke of Burgundy, to the Royal Library.

It was, however, after the accession of Francis I. that the palmy days of the Royal Library, or rather Libraries, for there were several, may be said to have begun. This monarch, as justly celebrated for his love of letters as for his patronage of the arts, took the Royal Library under his especial care, and spared no expense in order to add to his treasures. He well deserves to be regarded as one of the greatest benefactors to the magnificent collection which we now admire in the French capital. He caused agents to be sent to Italy and Greece, and even, it is said, to the Levant, in order to purchase manuscripts, especially Greek ones, for the Library at Fontainebleau. At the same time the ambassadors of France at Rome and Venice were ordered not only to buy for their master any Greek books that they might meet with, but, in addition, to cause copies to be made of any rare books or manuscripts which could not be obtained by purchase.

Francis I. by these means succeeded in collecting not less than 400 manuscripts, chiefly Greek, and some 60 in Arabic and other Oriental tongues. In 1522 Francis appointed the famous Guillaume Budé to be his "Bibliothécaire" or "Maître de la Librairie du Roi." Previous to this reign the keepers of the King's Library had been known by the more humble title of "Gardien,"

and were expected to do little more than exercise a material supervision over the books entrusted to their care.

In the year 1537 Francis issued a proclamation which, had its provisions been duly carried into effect in his own and the following reigns, would have been as important a document in the history of the Royal Library as Magna Charta in the history of English liberty. Unfortunately the provisions of Francis's proclamation were as little respected as those of John's charter. This proclamation, which was promulgated at the Châtelet of Paris on the 7th of March, 1537, is so remarkable, and at the same time so little known a document, that we shall give its more important clauses in the original French. After a preamble which recounts the benefits conferred by the king on literature, the decree thus proceeds :—

“ Pour quoi, et à ce que nos successeurs rois de France à l'avenir en sentent et prennent à fruit, profit et utilité si bon leur semble, ou bien si à cette occasion ils soient induits et persuadés d'entretenir et continuer durant leur règne la nourriture des, dites bonnes lettres et professeurs d'icelles, nous avons délibéré de faire retirer, mettre et assembler en notre librairie, toutes les œuvres digne d'être vues qui ont été et seront faites, compilées, amplifiées, corrigées, et amendées, de notre dit temps, pour avoir recours aux dits livres si de fortune ils étaient ici-après perclus de la mémoire des hommes, ou aucunement immués ou variés de leur vraie et première publication.

“ A ces causes, avons très-expressément défendu à tous imprimeurs et libraires des villes, universités, lieux et endroits de notre royaume et pays de notre obéissance, que nul d'entre eux ne soit si osé ni hardi de mettre ni exposer en vente en notre dit royaume, soit en public ni en secret, ni envoyer ailleurs aucun livre nouvellement imprimé par deça, soit en langue latine, grecque, hébraïque, arabe, chaldée, italienne, espagnole, française, allemande ou autre, soit d'ancien ou de modern auteur, de nouveau imprimé, en quel que caractère que ce soit, illustré d'annotations, corrections ou autre chose profitable, d'voir en grand ou petit volume, que premièrement ils n'aient baillé un des dits livres, volumes, ou cahiers, de quelque science ou profession qu'il soit, es-mains de notre ami et féal conseiller et aumônier ordinaire l'abbé de Reclus, Mellin de Saint-Gelais, ayant la charge et garde de notre dite librairie, étant en notre château de Blois, ou autre personnage qui par ci-après pourra avoir en son lieu la dite charge et garde, ou de son commis, quand au besoin sera ; le tout sous peine de confiscation de tous et chacun des livres et d'amende arbitraire à nous d'appliquer. . . . Si donnons mandement à notre prévôt de Paris, sénéchaux de Lyon, Toulouse, Guienne, Poitou,” &c.

The original manuscript of this curious document is still to be seen in the judicial archives of the city of Paris.*

* See Rénouard, “*Traité des Droits d'Auteurs.*” Paris. 2 vols. in 8vo. 1835. Vol. I. p. 43.

The library of Fontainebleau soon became famous throughout Europe for its richness in printed books and manuscripts. The Père Danès, one of the guardians of the new collection boasts that "Plusieurs princes et seigneurs venant en France ont infiniment plus envie de venir icy (to Fontainebleau) visiter ce Thésor que toute autre chose qu'on peut visiter ailleurs." Princes and Lords have perhaps degenerated since the worthy Father's days, anyhow they show much more anxiety to ascertain the position of the French stage (especially as represented at the Bouffes and Variétés) than to trouble themselves as to the condition of the Imperial Library.

Henry II., who succeeded Francis I., has acquired a reputation as a benefactor to the Library which the exact historian is compelled to refuse him. It is to this king's reign that most of the chronicles of the Royal Library have referred the publication of a decree similar to that which we have quoted above, ordering that a copy of every work printed in France should be placed in the library at Fontainebleau, under pain of seizure of the whole edition or editions, and fine and imprisonment of the printer. But M. Rénouard, so far back as 1838, in his learned *Traité sur les Droits d'auteurs*, has conclusively shown that this decree is quite imaginary, and is in all probability a fiction of the brain of one Raoul Spifame, who is the first to mention it in his book entitled—*Dicæarchiæ Henrici regis christianissimi, progymnasmata*. Le Prince, and his modern editor M. Louis Paris, both attribute this imaginary decree to Henry II.; and Mr. Edwards in his work on Libraries has fallen into the same mistake. Whatever praise is due,—and there is not much, seeing that no decree was ever put in practice in such a manner as really to benefit the royal collection, should be given to Henry the Second's father, Francis, who did at any rate publish a decree quoted above, although he neglected to enforce it.

What the library does owe to Henry II. are some books in very beautiful bindings which belonged to his mistress, Diana of Poitiers, herself a distinguished patroness of literature. Diana of Poitiers was not only a friend and admirer of letters, but herself a poet, and, if we may judge from the following specimen, a better one than "patrons of literature" are wont to be. She is addressing her royal lover, and, after relating how, "Amour, un beau matin, vint lui offrir un garçon frais, dispos et jeunet," she proceeds,—

"'Nenny,' disais-je.—'Ah, ne serez déçue,' reprit l'Amour.

'Mieux vaut,' lui dis, 'être sage que reine.'

Ainsi me sentys et frémir et trembler :

Et Diane faillit ; et comprendrez sans peine,

Duquel matin je prétends parler."

Diana was famous for her love of rich bindings, and most of the great libraries of Europe can boast of richly bound copies of volumes which once formed part of her collection.

During the troubled times of the League the Royal collection suffered considerably; many of the most valuable MSS. collected by Francis I. were either lost or stolen, and had it not been for the efforts of the President Brisson, what was left of the Library would probably have been divided among the chiefs of the League.

In the year 1595, Henry IV., with a view probably to the greater future safety of the Royal Library, caused it to be brought to Paris; he had the books placed in the Collège de Clermont—(where the Lycée Louis-le-Grand now stands)—then vacant owing to the recent expulsion of the Jesuits from France. After the death of Catherine de Medicis, Henry IV. was persuaded by his librarian, Jacques-Auguste de Thou, to purchase a valuable collection of MSS. which had been left by that Princess; the purchase was not completed without some difficulty, for Catherine had neglected to pay for her collection, and dying deeply in debt, creditors claimed her library among her other effects. Henry however caused his *Parlement* to pass an order that the books of Catherine de Medicis should be placed with those of the Royal Library as Crown property; it is by no means clear that he ever paid for them. This collection had been valued in 1597 at the sum of 5400 crowns.

The Library was again moved in 1605, owing to the return of the Jesuits to France; this time the books found a temporary home in the convent of the Cordeliers. Here it was placed under the care of the great classical scholar Isaac Casaubon, who held the office of *Garde de Librairie*, until the assassination of Henry, when he fled to England, fearing that Paris was no longer a safe abode for a Protestant. Casaubon, however, was allowed to retain his office and its emoluments—400 livres a year, during his sojourn in England, where he died in 1614.

President de Thou, not content with enriching his master's library with MSS. and rare books from all parts of Europe and even Asia, formed a private collection, which soon became one of the sights of Paris. Of this collection it was said that "*Lutetiam non vidisse censetur, qui Bibliothecam Thuanam non vidit*;" the heirs of de Thou were unfortunately compelled to part with it, and this celebrated collection was dispersed at the time of the first Revolution.

The reign of Louis XIII. was not remarkable for any great additions to the Royal collection; it is when we come to the reign of his successor, that what has with justice been called the Golden Period in the history of the Royal Library begins.

Among all the so-called "Glories" of the reign of Louis XIV. the intelligent patronage shown by him and his great ministers, Colbert and Louvois, to the interests of literature by their fostering care of the royal collection of books, will be one of his most enduring titles to the grateful recollection of posterity. Versailles and St. Germain are deserted, the proud Palace of Marli has long been levelled with the ground; the victories of the beginning of the reign of Louis are over-shadowed by the defeats he underwent at the hands of Prince Eugène and Marlborough towards the close of his long and (latterly at all events) disastrous reign; but so long as the love of letters shall endure in France or in Europe no visitor to the great National library can forget the treasures collected by the efforts of Louis and his two great ministers.

The benefits conferred on the Royal Library during the administration of Colbert alone may be judged by the simple fact that when he came into power in 1651 he found only 16,746 volumes—manuscripts included—in the whole collection, and that at his death, thirty-two years afterwards, the Royal Library could boast of no less than 40,000 printed books and 12,000 volumes of manuscripts, forming a total of 52,000 volumes, treble the number to be seen at the commencement of Colbert's ministry.

The library had so increased in bulk in the year 1666, that Colbert caused it to be transferred from the Rue de la Harpe to two houses near his own residence in the Rue Vivienne. To enumerate at length all the efforts of Colbert to add to his master's collection, would require volumes, and we can only notice briefly here some of his most noteworthy additions to the rapidly increasing collection.

One of Colbert's first acts as minister, was to inform all the king's ambassadors in foreign countries that, in addition to their regular diplomatic duties, they were expected to do all in their power to aid in adding to the treasures of their master's library. This appeal of Colbert's seems in every case to have been nobly responded to. All the ambassadors of the "Grand Monarque" appear to have vied with one another in their anxiety to increase the treasures of the royal collection. Besides this, Colbert was far from neglecting the system pursued with so much success by preceding governments, viz., that of despatching special agents to Greece and the Levant, in the hope of acquiring some valuable Greek or oriental manuscripts. Father Vansleb, a Dutch Dominican monk, was accordingly sent by Colbert to the Levant, whence he brought back no less than six hundred and sixty manuscripts; among these were Syrian, Arabic, Turkish, and Coptic MSS., together with some thirty Greek [Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. G G

ones. Besides his diligent researches abroad, Colbert caused copies to be taken of all documents which could be of any public utility in the registry of the provinces of Béarn, Foix, Languedoc, and Guienne. We cannot here enumerate even the principal purchases of manuscripts and books made for the King's Library in the time of Colbert; those who desire to see for themselves will find ample details in the pages of Le Prince and M. Léopold Delisle, or better still, on the shelves of the library itself.

In 1683, Colbert died; but his successor, Louvois, was hardly less zealous in his care for the royal collection. The learned Mabillon was commissioned to collect books in Italy, and so well did he fulfil the duties of his mission that in less than two years he forwarded more than 4000 printed volumes to Paris, besides a considerable number of manuscripts. A new decree in confirmation of that of Francis I., as to due deposit of copies of all works printed in France, was obtained by Louvois in 1689; by his orders it was rigorously enforced, to the manifest advantage of the royal collection.

In 1692, the Abbé de Louvois, the brother of the minister, and the librarian, opened the King's Library on two days of the week to all comers. This, an important event in the history of the Library, is thus noticed by the *Mercure* for November, 1692:—

“M. l'Abbé Louvois, voulant rendre la Bibliothèque du Roi utile au public, a résolu de l'ouvrir deux jours de chaque semaine à tous ceux qui voudront y venir étudier; il a déjà commencé, et il régala d'un magnifique repas plusieurs scavans le jour de cette ouverture.”

The peace of Ryswick, in 1698, enabled Englishmen to visit Paris; Dr. Martin Lister has left an account, published in 1698, of his visit to the King's Library, where he appears to have been received with great civility. But the peace between the two countries was of short duration, and it is not until after the signing of the treaty of Utrecht, in 1713, that we meet with any sign of fresh communication with England. Soon after the peace, Queen Anne sent to the King's Library, “le beau present des Actes d'Angleterre recueillis par Rymer, et imprimés par ordre de cette princesse, avec l'histoire celeste du celebre Flammesteed.”* Rymer's *Fœdera* is no doubt a work of great historical value, but it must be confessed that it hardly can have been a judicious present to one of the proudest Kings of France, who had just signed a treaty, the most humiliating for his country since those of Troyes or Bretigni, and the “Actes d'Angleterre” cannot have been very agreeable reading for him or his subjects.

* “Memoire historique sur la Bibliothèque du Roi,” p. lx. 17.

Peter the Great visited the Royal Library in 1717; at this period only one Russian book could be found to show his Muscovite Majesty: the Abbé de Louvois took care to have this work, a volume of travels, magnificently bound previous to the visit of the Czar. The courtly Le Prince informs us that Peter looked through the book with great pleasure, "*prit beaucoup de plaisir à en parcourir plusieurs endroits.*" When we recollect how very little taste Peter was wont to show for literature, or indeed any of the polite arts, unless ship-building is to be reckoned among them, we may be permitted to suspect that M. l' Abbé was a courtier.

The Abbé Bignon, who succeeded to the office of chief librarian on the death of the Abbé de Louvois, in 1718, prevailed on the Regent to have the Royal Collection moved from the two houses in the Rue Vivienne, where it had been placed by Colbert, to the Hotel de Nevers in the Rue de Richelieu hard by. This was done in 1724, and the great library had henceforth a permanent home; it has remained on the same site, although nearly all of the buildings, both of the Hotel de Nevers and the Palais Mazarin, afterwards occupied by the increasing collection, have now disappeared.

About 1766, Bruce, the Abyssinian traveller, offered a manuscript of the book of Enoch, which he had discovered in Abyssinia, to the King's Library; it is said Colbert had caused search to be made for this MS. by his agents throughout the East without success. From this time to the Revolution there was one succession of purchases and legacies for the Royal Library, somewhat diminished indeed towards the end of the reign of Lewis XV., and the commencement of that of his successor, through the disastrous state of the finances.

One of the most celebrated of the many learned men whose names are connected with the history of the great French library entered its service in the year 1784, no less a personage than Van Praet, who was to be known as the most learned librarian of the choicest and richest collection in Europe.

M. Van Praet was born at Bruges, in July, 1754; when thirty years old he entered the Royal Library as "*Commis des livres imprimés.*" During the Reign of Terror he narrowly escaped the fate of but too many of his brother *savants*, and was very nearly ending his days on the Place de la Révolution. He was once thrown into prison, but soon set at liberty again; Fouquier-Tinville himself would have found it hard to find a valid accusation against the Flemish bibliographer who, we suspect, thought much more of a first folio, or some genuine product of the presses of Gutenberg or of Elzevir, than the execution of Louis XVI. or the dangers of the new-born republic. There was one accusation

indeed which Van Praet could hardly have escaped—that brought against the Clerk of Chatham in the Second Part of *King Henry VI.*

Smith. The clerk of Chatham; he can read and write and cast account.

Cade. O monstrous. . . .

Smith. Has a book in his pocket with red letters in it.

Cade. Nay, then, he is a conjuror.

Henry VI. Pt. II. act iv. sc. 2.

The Republic was not very well inclined towards *savants*; when the friends of Lavoisier tried to save the founder of modern chemistry from the guillotine, by urging his services to science, they were sternly told “*La République n’a pas besoin de chimistes.*” Condorcet was flung into the prison in which he died because he was found with a Horace—a cidevant and a friend of aristocrats, though he did fight (and run away) at Philippi—in his pocket. The Library itself escaped destruction, although Henriot actually proposed that the whole collection should be burnt, partly, it would seem, because he was anxious to destroy the Fleur-de-lis and other armorial bearings stamped on the books, and partly because he was possessed by a notion that, by destroying the great French Library, he would destroy most of the learning contained in its volumes, having adopted a not uncommon error among uneducated Frenchmen, namely, that the vast majority of books in the national collection are unique!

Less barbarous counsels, however, prevailed, and the revolutionary period, so far from being a mournful one in the history of the library, saw its riches, already so great, more than doubled. The suppression of the religious houses—of which previous to 1789 there were no fewer than one hundred in Paris alone, and the confiscation of their property, brought many thousand volumes to the shelves of the Bibliothèque Nationale, as it was now for the first time denominated. The number of the new additions was so great that a less thorough master of his craft than Van Praet would have shrunk back from such Augean labours. What, however, was work to most men was a labour of love to the indefatigable Belgian book-lover; he probably only complained that he had not yet more worlds to conquer—we mean libraries to sort and classify. But his desires were soon gratified, for the conquests of Napoleon brought yet more rare and valuable additions to the already crowded magazines of the National Library. Venice and Rome, Madrid, Vienna, and Berlin, were each in turn compelled to yield up their choicest treasures both in art and literature. This wholesale system of

plunder—for it was nothing else—was carried out in a very scientific manner, and its execution did great credit to the bibliographical knowledge of the learned Van Praet, “J’ai eu sous les yeux en 1798,” says M. Daunou, in a notice of the life of the great bibliographer, “plusieurs des notes que Van Praet adressait aux agents du gouvernement, et qui supposaient la plus exacte connaissance de l’état des bibliothèques étrangères. C’est ainsi que notre grand dépôt national, déjà si riche, lui a dû jusqu’en 1813 des accroissements dont il sera fort difficile de mesurer l’étendue.” One can scarcely refrain from wondering whether, in 1804, a list was prepared of the treasures of the Bodleian and of the Cottonian libraries, in anticipation of the occupation of England by a French army. But probably after Trafalgar, Van Praet, like his master, turned his attention to more easy conquests, and destroyed any notes of the state of English libraries which he had prepared.

When Paris was in its turn occupied by the allied armies in 1814 and 1815, this ill-gotten wealth was in part disgorged, and most of the plunder restored to its rightful owners. We say in part, because M. Van Praet showed himself equal to the occasion, and indeed would seem to have used his vast erudition to no very honest purpose. His conduct is, however, in general approved by French writers, and one of his biographers is not ashamed to remark :

“M. Van Praet, de concert avec MM. Dacier et Million, sut alors par une succession de fraudes pieuses, [the Italics are ours], honorables puisque qu’elles étaient inspirées par l’amour du devoir [of keeping stolen property] et de la patrie tromper fréquemment les réclamations qui semblaient les mieux fondées. Dans le nombre des ouvrages redemandés, plusieurs avaient été rangés près d’autres exemplaires moins précieux inscrites sur les vieux inventaires. Ces inscriptions assurèrent dans les quatre départements de la Bibliothèque plus d’un titre de propriété d’ailleurs assez contestable; et c’est ainsi qu’à la place de volumes complets admirablement reliés, de médailles à fleur de coin, et de gravures avant la lettre, les poursuites de l’étranger n’atteignent souvent que des volumes mutilés, des médailles frustées, et des gravures d’un médiocre tirage.”*

Another French writer, M. Rénouard, positively scolds M. Van Praet for not having been “habile” enough, in plain English, for having been wanting in knavery.† But the French are not very scrupulous in such matters, and many a fine picture now in

* M. Paulin Paris, in the “Mémoires de la Société des Antiquaires de France.” Vol. v. (new series) notice sur Van Praet.

† Rénouard, “Annales de l’Imprimerie des Estienne.” Paris. 1843. 8vo, p. 341, note.

the Louvre was retained there by no more creditable arts than those employed by M. Van Praet and his colleagues.

Under the Restoration and the Orleans Government, M. Van Praet remained at his post in the Bibliothèque Royale, as the national collection was now called, always ready to assist students, even the most humble ones, with information and advice. Dibdin, the famous bibliographer, has left an amusing, though somewhat highly-coloured account, of his brother bibliomaniac, in that entertaining but inaccurate work, "*A Voyage to France and Germany*."*

M. Van Praet continued at the head of the administration of the Royal Library until his death, in 1838; the library appears to have fallen into a somewhat unsatisfactory condition during the latter years of M. Van Praet's rule. Perhaps the very immensity of his erudition was hurtful to the interests of the collection under his charge, and still more to its future prospects. His own knowledge was so great and so universal, he was, in fact, so truly a living catalogue, that the want of a written catalogue not being felt, nothing was done towards the formation of one. Many were the complaints against the Royal Library during the reign of Louis Philippe; but it was not until after the fall of the Republic of '48, that any real steps were taken to reform the administration of what was henceforth to be known as the Bibliothèque Impériale.

The first six years of the reign of Napoleon III. passed by without any considerable improvement being introduced, and it was not until the year 1858 that the Imperial Government, moved, perhaps, by the success of the newly-opened reading-room at the British Museum, and the boasts of the English as to the superiority of the great English Library over its continental rivals, decreed the formation of a commission to inquire into the organization of the Imperial Library. The constitution of this commission differed widely from that of any of those which have from time to time been appointed to inquire into the condition and prospects of our own national collection of books. Instead of being composed in the main of men more or less interested in the welfare of literature, from having themselves won distinction in its different branches, the French commission consisted, with hardly an exception, of members of the bureaucracy; one of its members alone, the author of the "*Report to the Minister of Public Instruction*," which duly appeared in July of the same year, was a distinguished member of the world of letters.

* London. 3 vols. in 8vo. 1821. A corrected edition was published in 1829, but is not so valuable as the first.

The first improvement which the Report advised, was that the rate of pay of all the superior officials connected with the library should be raised. The salaries of the "employés" had formerly been so low, that nearly all of them were compelled to eke out their resources by means of other occupations during their leisure hours, to the manifest detriment of the administration of the library. The commissioners, therefore, recommended the following scale of pay, which was duly adopted, and is, with some slight modifications, still in force:—

	Francs.	£
Administrateur-général-directeur ..	15,000	= 600
Conservateurs-sous-directeurs ...	10,000	= 400
Conservateurs-sous-directeurs-adjoints	7,000	= 280
Bibliothécaires	4,000	= 160
Employés (3 classes) ...	3,200—1,900	= 128 — 76
Chef de service	1,500	= 60
Hommes de service	1,200	= 48

On this table we may be allowed to make two remarks; first, that the commissioners cannot be accused of extravagance in the rate of remuneration proposed by them; and secondly, that the French do not seem to be any cleverer than ourselves in inventing names for the subaltern officers of their national library; assistant-librarian is a somewhat clumsy word, but in comparison with "conservateur-sous-directeur-adjoint," it is almost elegant. No employé was in future to be allowed to hold any other office in addition to that which he filled at the Imperial Library; and the possession of the diploma of *bachelier-ès-lettres*, was made indispensable for any one desirous of being received as one of the librarians. For some unexplained reason, this last was, with one notable exception, almost the only change advocated by the commissioners which appears to have been carried into effect.

They very sensibly suggested, that the so-called "réserve," or separate table for a certain class of books, should be suppressed, and its regulations only enforced in the case of very rare and precious volumes, and not as now for works politically obnoxious to the existing government.

It has, however, been retained in all its stupidity, and to this hour the reader of a book like Colonel Charras' "History of the Campaign of 1815," must leave his place and his other books, and place himself at a separate table, because Colonel Charras was one of the deputies so unrighteously imprisoned at the time of the Coup d'Etat, and because in his work on the "Campaign of Waterloo," he has exposed a few of the many mis-statements—to use a very mild term—of the loser of that great battle.

Again, the commissioners declared, that in spite of the excellence of M. Taschereau's "Catalogue of the History of France," regarded as a work of bibliography, it was urgent that a general catalogue should be compiled, with as little delay as possible. They certainly expressed their opinion in a manner which could not be mistaken: "We entreat of you, M. le ministre, to press on the execution of a general catalogue, after the plan which we have pointed out [alphabetical]; we would remind the administration that in this matter, the great thing is to get the work done quickly, and that it is much better to revise at leisure the first attempt, than to make the public wait too long for a more perfect work." The only effect of their remonstrances seems to have been to make M. Taschereau abandon some of the sections of his classified catalogue, which had been commenced, notably the section on the "History of England," without making any efforts to bring about the publication of that inestimable boon, an alphabetical catalogue in manuscript. It is now eleven years since the report was issued. Are the readers at the Imperial Library any nearer the possession of that true key to a collection of books—a general catalogue? We doubt it.

The commissioners spoke of the system of dividing the books into classes, each distinguished by a letter, as antiquated and cumbersome; it is in use at the present day. They condemned the system of arrangement of the books in the galleries—that of intercalation—as a bad one; it has been retained. The Report most wisely advised that the department of printed books, that of manuscripts, and that of maps and geographical collections, should all, in future, communicate their contents in one general reading-room; but the old and most inconvenient system has been maintained, and to this day a student, who in reading, let us say the "Campaigns of Napoleon," requires the assistance of a good atlas, is compelled to return the book of history he has in hand, and to go to a different part of the building, where he may indeed consult any quantity of maps, but where he cannot obtain a single volume of history. You may have as many volumes of history or travel as you see fit, or as many maps as you can possibly require, but not maps and voyages together. It is much as if a man should offer you a plentiful supply of food in the attics, and give you at the same time the run of his cellar, only stipulating that you should, on no account, carry a bottle of wine from the cellar to the attics, or a plate of food from the attics to the cellar. Like Katherine in the "Taming of the Shrew," you may have the beef without the mustard, or even "the mustard without the beef," but mustard and beef at one and the same time, never. The same inconvenience exists with

respect to the manuscripts; no book can be taken from the reading-room to the MS. department, and no manuscript can, on any account, be communicated in the reading-room. Many other useful suggestions, of minor importance, were offered by the commissioners, but as they have all, with one notable exception, which we are about to mention, been neglected, we will not weary the reader with a list of vainly proposed improvements, but come straight to the one which has been carried into effect. This was, that two reading-rooms should in future be opened, the one like that at the British Museum only open to readers furnished with a card of admission, and who might be presumed to be students making use of the room for a definite purpose—a room, in fact, modelled on the reading-room of the British Museum; the other a room entirely public, that should be open without any restriction whatever to all comers, but with only a selection of works. We have in England as yet no parallel to this latter most excellent feature in the French national library.

Dibdin irreverently compared the exterior of the Bibliothèque Royale, when he visited it in 1819, to that of an English workhouse, and certainly the new buildings which have arisen since the time of the great bibliomaniac, are not remarkable for their architectural beauty. But they are at all events unpretending, and in that respect compare favourably with certain edifices in our own capital.

The Imperial Library stands some fifty yards to the north of the Palais Royal, and now consists of an oblong block of buildings, bounded on the south by the Rue Neuve-des-Petits-Champs (immortalized by Thackeray), on the west by the Rue de Richelieu, on the north by the Rue Colbert, and on the east by the Rue Vivienne. At the north-east corner of this block of buildings, at the angle formed by the Rue Vivienne and the Rue Colbert, the visitor is astonished to see some half-dozen private dwelling houses joining the buildings of the National Library, and constantly threatening the invaluable collections contained within its walls with destruction by fire.

There are four departments in the Imperial Library, each with a separate administration—viz., I. Printed Books and Maps; II. Manuscripts; III. Coins and Medals; IV. Engravings.

We intend here only to speak of the history and present condition of the printed books, maps, and MSS., considering with M. P. Merimée and the Commissioners in 1858, that neither prints nor medals properly form part of a library, and that they would be better at the Louvre

The new "*Salle de Travail*," as it is called, is situated like

the reading-room of the British Museum in a court, and is entered from the Rue de Richelieu; the present approach is mean-looking and unworthy of the fine room to which it forms a vestibule, but it is only temporary, and the public is promised an entrance more in keeping with the importance of the whole building, when the new galleries, now in progress, shall have been completed. On entering the reading-room, the visitor finds himself in a large and handsome room, whose form may best be described as a square, to which a large bay has been added on the side facing the entrance. The square part, which is 100 feet either way, is set apart for readers, the bay is reserved for the officials, and the apparatus for the supply of books from the adjoining galleries. Sixteen elegant pillars of cast-iron, painted a delicate gray, not displeasing to the eye, support nine domes, each pierced by a skylight. These skylights, and three large windows over the doorway serve to light the room, but we may remark in passing that the lighting of the new room is by no means satisfactory, there being too much light in summer and too little in winter. Indeed, on more than one occasion last winter the reading-room had to be closed before four o'clock, owing to the want of light. Across that part of the room devoted to the public are placed long tables, which are capable of accommodating some 330 persons in all. Where the columns intervene, large tables are placed for the convenience of those readers who may have to consult large illustrated books, newspapers, and in short all works which cannot be conveniently placed on the smaller tables. Under all the tables are hot-water pipes, handy for the visitors' feet in winter, and round the room are gratings through which hot air is introduced. But the architect, M. Labrouste, in taking measures for the heating of the new reading-room, seems to have forgotten that it was not less important to provide for cooling it during a large portion of the year, and that good ventilation was necessary not only in summer, but also in winter. He appears to have entirely neglected to make any efficient provision for the introduction of fresh air, or the escape of foul, in a room which is calculated to contain no less than 330 readers, besides the librarians and attendants. We can only say that, after frequenting the new room for more than a year we were never able to discover any more efficient provision for the escape of vitiated air, than three very small case-ments, which would not be considered sufficient for a fair-sized drawing-room in England. The complaints of the bad ventilation have been many and frequent since the opening of the new room, but no steps have as yet been taken to remedy so great an evil. Indeed, we suspect M. Labrouste is one of those strangely

constituted persons who positively like foul air better than fresh, since he committed the very same fault in the reading-room of the Bibliothèque St. Génévieve, which was built so far back as 1851, and although he has had an opportunity in the meantime of studying the excellent system of ventilation in operation at the British Museum, he has certainly not profited by the lesson. The space allowed at the tables to each reader is three feet, somewhat less than at the British Museum, where each student has four feet three inches in which to range his books, to say nothing of the book-stand and reading desk. Round the room there are three tiers of book-cases, none of which are, however, accessible to the public. A few book-cases, containing some 3000 volumes, on the ground-floor are open to readers, and their meagre contents form a striking contrast to the 25,000 well-bound volumes which make up the library of reference at the British Museum. The English reader will observe with pleasure that some of the most frequently consulted books are English ones; and that among cyclopædias none are in more constant demand than Knight's "English Cyclopædia," or the "Encyclopædia Britannica," although the authorities of the Imperial Library have not yet seen fit to acquire the latest edition of that useful work. We may, perhaps, be permitted to remark, however, that the original folio edition of "Johnson's Dictionary," is by no means the best of that great work, and that if there is no French "Dictionary of Medicine" less than twenty years old, there are several English, to say nothing of German ones to be obtained. And we fancy that the vast majority of readers would greatly prefer a collection of the volumes of the "Revue des Deux Mondes" to those of the "Acta Sanctorum," and that M. Henri Martin's "History of France," or that of M. Michelet, would be more generally useful than the collection of Papal Bulls, or the "History of General Councils." But we must not be too critical; already the number of books at the disposal of the public has been increased, and we may fairly hope that the day is not far distant when there will be as many volumes to be had without writing an order in the Imperial Library, as there are now in its great English rival.

Round the new reading-room are ranged a series of medallions representing the Chiefs of Literature, the representative men of all times and countries,—in the opinion of the authorities of the Imperial Library. The busts of the writers of Greece and Rome are placed in the bay set apart for the officials, those of more modern times in the part of the room occupied by the public. Of the twenty-four writers who are supposed to represent the literature of modern Europe, no less than twelve are

French : are we to take this to mean that the literature of France is equivalent in value to those of all the other nations of Europe put together? Hardly, we imagine; even French vanity is not capable of so stultifying itself. England is represented by Shakespeare, Bacon, Milton, and Newton (?). Spain by Cervantes; Goethe alone represents that noble literature which counts among its ranks such giants as Schiller, Lessing, Herder, Wieland, and Hegel. The Italians are well treated, for no less than five medallions are devoted to a literature which is now to all intents and purposes as dead as that of Rome. The French, it may be remarked, have a dangerous fondness for these narrow minded and invidious selections, which is continually leading them into pitfalls, and exposing them to the ridicule of other nations, who care very little about French judgment, that not being a conspicuous national quality, but who derive considerable amusement from the extraordinary and inexplicable blunders of a nation which prides itself on being the cleverest in Europe.

This same propensity for selection, coupled with a like ignorance of the subject, has led to the placing of the bust of Spontini on the front of the new Opera-House, in company with those of Beethoven, Rossini, and Mozart! In the very case before us they have fallen into three errors, for which a child at school would be whipped, having actually confused Roger Bacon and his great namesake—the author of the “*Novum Organon*”—the head being the head of Francis, and the date the date of Roger; at the same time they have antedated by a year the time of Shakspeare’s birth, and by seven years that of Goethe.* It is, indeed, fortunate that the Germans do not concern themselves much with what the French may say or do in literary matters, so long as they do not write about the Rhine, else we fancy there would have been some commotion in Vaterland at the insult offered to the literature which the late Mr. Buckle deliberately pronounced to be the first in Europe. Before finishing our description of the room we cannot help remarking on two smaller defects, defects of detail indeed, but none the less irksome for that. The first is the total absence of blotting-paper, and the use of that most antiquated and abominable substitute, sawdust. Blotting-pads are not an expensive luxury, and the nuisance of a yellow powder which gets on one’s clothes, in one’s pen, and even in one’s hair, is quite indescribable. The second grievance

* According to the “*Conversations Lexicon*,” and all the biographies, Goethe was born in 1749. According to the medallion in the Imperial Library, he was born in 1742. Query, is this to match with the date of his death in 1832?

which we would notice is the intolerable noise caused by the movements of the attendants and of readers on the parquettèd floor. The Commission of 1858 called attention to the desirability of introducing Kamptulicon, but the French believe in polished oak floors, and the consequence is that not a volume can be let fall, or penknife placed sharply on a table, without the noise resounding throughout the room. Both of these defects might easily be remedied, and, indeed, since Kamptulicon has been introduced at the library of the Louvre we may hope to see it in course of time at the Imperial Library, where, owing to the number of readers it is much more wanted. As to the blotting-paper it might be supplied for a trifling sum, but the use of saw-dust is, like that of absinthe, a national failing, and the one will probably last as long as the other.

Having thus endeavoured to give a brief account of the main features of the reading-room itself, we will proceed to the system by which books other than those on the shelves open to the public, are obtained. On entering, a sheet of paper called a "bulletin," is handed to the intending reader; let him take good care of this document, for without it he cannot obtain any books but those in the public book-cases; and should he fail to present it on leaving, with "*rendu*" clearly stamped against the names of the works he has received, he will find it difficult, if not impossible, to quit the reading-room. We have not been able to ascertain what happens to a student who should be so unlucky as to lose his "Bulletin personnel," as this all-important document is called. He is probably compelled to pass the night on one of the tables in the reading-room with a folio for a pillow. The next thing the reader has to do is to choose a seat—a very easy matter, as there are seldom more than a hundred readers in the room at the same time, and consequently some 200 chairs are generally vacant. Two of the officials at the bureau will supply the reader with "*bulletins de demande*," on his asking for them. It is now that the troubles of an intending student begin. He is politely requested, in a note on the margin of his "*bulletin de demande*," to give, as exactly as possible, the Christian name and surname of the author whose work he asks for, with the title, size, date, and place of publication. Of course, when some particular work is being sought, and its exact title, date, etc., have been copied from a newspaper or review, it is easy enough to comply with this request. But suppose that a reader is anxious to "get up" some given subject, and has but vague notions of the names of the best authors who have treated of it. "Why let him turn to the catalogue, of course," an English reader, fresh from the British Museum, and the huge blue calf folios of the General Catalogue, will exclaim. And in fact there are two small presses

with "Catalogue" in red and gold letters. But alas! they contain no general catalogue at all, and only a classified, not an alphabetical, one of the History of France; one volume of a catalogue of works on Medicine, and the catalogue mentioned above of the Bibliothèque du Roi, published in the year 1739. Of a general catalogue there is not a single volume. The student having filled up his order in as satisfactory a manner as his information permits him to do, hands it to one of the employés at the Bureau, and may then return to his place and wait for the books which he has ordered. He will find that, greatly to the credit of the organization of the Imperial Library, the works demanded will, if they are in the library, be brought to him much more expeditiously than at the British Museum. We have never been able to understand how this comes to pass, for the English library has every advantage, and every incitement to despatch; there every order for books bears the exact indication of the place where they are to be found, indeed it is not received by the librarians without the "press mark," as it is called; in spite of all this, and the very imperfect indication of a work's whereabouts, which can generally be given in the Paris library, books are found and forwarded to the reader in less than one half the time which is lost at the British Museum by the student before he obtains the volumes he has come to consult. When we take into consideration the great disadvantages which the officials of the Imperial Library are under, owing to the absence of a general catalogue, it must be admitted that this is a fact which reflects great credit on their arrangements and their diligence. And here we may take occasion to note another detail in respect to which the French library contrasts favourably with its English rival; not only are the books required brought more quickly, but they are handed to you by a dapper "*garçon*" in a neat livery, instead of an "attendant" in a shabby coat, who has been in such a hurry to come to his duties that he has forgotten to use either his sponge or his razor.

But in spite of this, the absence of a good alphabetical catalogue is much to be deplored. A student in a large library without a good catalogue, is like the captain of a ship in the middle of the Atlantic whose compass is out of order, and whose sextant has fallen overboard. "Quelle obligation," says the writer of the *Memoire historique de la Bibliothèque du Roy*,* prefixed to the catalogue of the King's Library published in 1739, "quelle obligation, la république des lettres, n'a-t-elle pas aux Anglois, d'avoir donné les catalogues des livres que renferment

leurs bibliothèques?" This was written with a more special allusion to the catalogue of the Bodleian, which had recently been published; but what would the writer have said had he seen that monument of industry and ingenuity, the General Catalogue of the British Museum? "I can only liken a library without a catalogue," said Mr. Carlyle in his evidence before the British Museum Commissioners, "to a Polyphemus without an eye." The employés at the Imperial Library are both able and willing to give great assistance to the reader in his search for books, but it is evidently impossible for any one man, or indeed any body of men, to supply the place of a good alphabetical catalogue. And a foreigner is at a still greater disadvantage than a native, for there are many of us who can *read* French easily enough, but who are by no means so ready at speaking it, or at understanding it when spoken. Besides, every student knows how, in turning over the pages of a well-arranged catalogue he is put on the scent, as it were, of works which contain the desired information. There is in the reading-room, it is true, the Catalogue of the History of France, an excellent work in its way, but we can only repeat the opinion expressed by M. P. Merimée in his Report to the Minister of Public Instruction;* he says:—

"Si l'on considère, ce qui a paru du catalogue imprimé comme une œuvre bibliographique, elle ne mérite que des éloges, pour le soin et l'exactitude qui ont présidé à sa rédaction. Si on la considère comme l'essai d'un moyen pour arriver à la possession d'un catalogue général, nous dirons hautement que ce moyen est long, coûteux, et que nous doutons même de la possibilité de l'appliquer à toutes les sections."

And again he remarks on the question of the relative superiority of a printed or a manuscript catalogue, "un catalogue général manuscrit est infiniment préférable pour nous à une portion de catalogue imprimée." But unfortunately the effect of the remarks of M. Merimée and his brother Commissioners seem to have been the abandonment of those portions of the classified catalogue which had been begun, without any steps being taken to promote the compilation of a general manuscript catalogue which should be a worthy rival to that at the British Museum.†

The number of readers in the new Paris reading-room does not as yet approach that of those who make use of the advantages held forth by its rival in London. But several facts must

* In *Moniteur*, July, 1858.

† We are aware that a MS. inventory of the majority of the works in the Imperial Library exists; but as it is only used to facilitate the researches of the sub-librarians, its existence is of little benefit to readers in general, who have not access to it.

be taken into consideration before we conclude that the Parisians do not sufficiently appreciate the benefits of a great public reading-room. In the first place it must be remembered that the new room has as yet been open little more than a year, and its advantages are perhaps not fully understood by many literary labourers. And the other room of which we shall have to speak presently in the same building, which is open to all comers without any previous formalities, has always a very considerable number of readers. Nor should we forget that while in London the British Museum is almost the only even quasi-public library, there are in Paris many other libraries which in the number and value of their contents may almost be considered as rivals to the great national collection itself. The two annexed tables show the number of readers, the first those in the old reading-room before the opening of the new one, the second those at the "salle de travail" and the "salle publique" of the Imperial Library during the six months which immediately followed the opening of the new room to the public.

I. 1867.—*Old Reading-Room.*

July	...	...	...	...	...	...	...	...	4197	readers.
August	...	...	...	...	...	...	...	...	4633	"
September	...	...	...	...	...	...	...	...	4842	"
October	...	...	...	...	...	...	...	...	5315	"
November	...	...	...	...	...	...	...	...	5979	"
December	...	...	...	...	...	...	...	...	5859	"

Total number of readers in six months in old room 31,419

We gather from this table that the average number of readers in the old room was 170 a day.

II. 1868.—*Old Reading-Room [now public room with select libraries] and New One.*

July	...	...	...	...	...	...	...	...	5310	readers.
August	...	...	...	...	...	...	...	...	5042	
September	...	...	...	...	...	...	...	...	5928	
October	...	...	...	...	...	...	...	...	6347	
November	...	...	...	...	...	...	...	...	7718	
December	...	...	...	...	...	...	...	...	6702*	

Total number of readers in the two rooms together 37,067

The average number of readers at the Imperial Library is 227 a day; of these there are 144 in the "salle de travail" and

* "Revue de l'Instruction Publique," 1869.

83 in the "salle publique." This gives a total average increase of 57 readers a day in the first six months which followed the opening of the new room compared with the corresponding period in 1868; and a yearly total of 11,434 readers, being an increase of more than 11,000 in the number of readers in the year 1867. But this is to understate the case for the Imperial Library, for we have reason to believe that the numbers have considerably increased during the present year. The total number of readers at the British Museum during the year 1868 was 103,529, and the average 353 a day.

During the last six months of 1868, there were 29,674 volumes distributed to the readers in the public room, and 72,260 during the same period in the "salle de travail."

We must now turn from the consideration of the room itself, to an examination—necessarily a very superficial one, of its contents. The first question of an English reader will naturally be as to how the literature of England is represented. Is there such a selection, for of course a selection only can be expected, as may be taken to represent the language of Shakespeare and Bacon, of Byron and Macaulay? After having made use of the Imperial Library for a lengthened period, and having dived into most of the departments of English literature, we are, however, reluctantly, compelled to give a negative reply. In almost every department of English literature the most extraordinary *lacunæ* exist. It is not only that uncommon books are seldom to be found, but books which any library of the most ordinary pretensions might be expected to contain, are asked for in vain at the National Library of France, "the most extensive collection in the world," as French guide-books are never tired of calling it. We must confess that, in so far as we have been able to examine, the boasted superiority of the Imperial Library must be confined to the national literature. A great library which does not contain either "Enoch Arden" or "In Memoriam"; Mr. Mill's work on "Utilitarianism," or Mr. Maine's on "Ancient Law," to give only one or two instances among hundreds, is evidently hardly in a position to call itself complete. We fancy too that there have been published several editions of Shakespeare's Plays since the Variorum edition of 1821, and we had always imagined that the editions of Dyce, of Collier, of Halliwell, of Staunton, to say nothing of the so-called Cambridge Shakespeare of Messrs. Clark and Wright, were of considerable value. Not one of these editions is to be obtained in the reading-room of the Imperial Library. We do not say that none of them are in the library, because from the absence of a general catalogue, we greatly doubt whether the librarians themselves always know what is and what is not on their shelves; [Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. H H

we can only say that after signing innumerable "*bulletins*" we have never been able to obtain a more recent edition than that of 1821, now very nearly half a century old. It may interest readers of the *Westminster* to know that a complete set of the *Review* from its commencement is in the Imperial Library; indeed English periodical works are not on the whole badly represented, but on the other hand, English newspapers are only conspicuous by their absence. There is not, we believe, a single copy of the *Times* in the whole library, and not a complete collection of any English or American paper. When we consider how frequently, owing to the absence of a free press, facts in French history must be sought for in English newspapers, this deficiency is all the more to be deplored. We are far from comparing the *Moniteur* in value as a historical record to the *Times*, but what would French readers say of the British Museum Library if it did not contain a complete collection of the volumes of the paper which is certainly not the *most* trustworthy in Europe.

We have anxiously endeavoured to ascertain on what system English books are purchased by the authorities of the Imperial Library. As far as any system can be said to exist at all, it would seem to be that of importunity. When a great many readers have repeatedly asked for the same work, it dawns on the mind of the *conservateurs* that it would not be a bad thing to buy it. We have understood that the authorities are assisted in their choice of desirable books by a Paris bookseller, who offers what are, in his opinion, the products of the English mind most worthy of a place on the shelves of the Imperial Library. We need hardly remark that it generally happens that they are the *dearest*, if not the choicest products of the Anglo-Saxon intellect. This system was adverted on by M. P. Merimée and his brother Commissioners more than ten years ago; they remark in the eighth section of their report, "*il nous a semblé que le conservatoire s'en rapporte un peu trop aux libraires pour l'achat des livres étrangers,*" and at the same time they took care to point out the remedy: "*nous nous bornerons à réclamer dans l'intérêt de la collection des imprimés qu'un employé soit chargé d'un service spécial qui consisterait à présenter au conservateur la note des acquisitions à faire. A cet effet, il aurait à parcourir les catalogues de vente ainsi que les revues littéraires publiées en pays étranger; il veillerait à l'accroissement utile de la collection, et contrôlerait les propositions adressées par les libraires.*" This, or something very like it, is we believe the system which has long been adopted, with the best results, at the British Museum—namely, to entrust to different officials the duty of choosing the works to be acquired

in each department of literature, subject of course to the approval of the chief librarian. Thus, one man occupies himself entirely with German literature, another with French, a third with Spanish, and so on. By this means each, from long acquaintance with his subject, is enabled to select the works the most worthy of notice which appear in his department.

The Imperial Library is said to be particularly strong in German works, especially in works of a scientific character; we say advisedly "is said," because we have not been able personally to test, to the same extent as in the English department, the title to respect of the library in this particular; but, if we may judge from the catalogue of books on medicine, the boasted riches are not of a very extraordinary character.

Any notice of the Imperial Library which omitted to give some account of the public reading-room, which forms not only one of the most remarkable, but one of the best features of the institution, would be manifestly incomplete. This room is one of the galleries which formed part of the Palais Mazarine, and is a fair specimen of the architecture of the day; previous to the opening of the new "*salle de travail*," which we have just described, it formed the chief, indeed the only reading-room for printed books, at least in the Imperial Library. It is approached by a staircase opening on the Rue Colbert, and has, if possible, a meaner and more forbidding entrance than the sister room in the Rue de Richelieu. The room itself is well adapted to its present purpose, being capable of accommodating some 200 readers at the two long tables which traverse it from end to end. The formalities at the door are nearly the same as those at the door of the "*salle de travail*," except that, in the present instance, the student is not required to have a card of admission. Every person, without exception, either as regards age (mere children excepted), sex, or nationality, is allowed to enter and to use the library of 25,000 volumes. These volumes are selected with a view to meet the requirements rather of those who come to read some particular work than to study some definite subject. It consists, therefore, of standard works on all subjects, with the more ordinary books of reference, and even works of fiction, which are not, as a rule, communicated in the more solemn "*salle de travail*." The English visitor will remark with pleasure well-thumbed volumes of translations from Hume and Macaulay, from Shakespeare, Scott, and Byron; it is impossible, however, for a foreigner not to be struck with the quantity of translations, and the almost entire absence of foreign works in the original languages in which their authors wrote them,—another proof, if proof were needed, of the general ignorance of the French of any tongue but their own. There is in this room,

at least, a catalogue, but it is unfortunately so elaborately classified that the bewildered student soon quits it in despair. The public reading-room is open during the same hours as the "*salle de travail*"—viz., from ten in the morning to four o'clock in the afternoon; after three o'clock no orders for books are received in either room. The public room is also open on Sundays when the "*salle de travail*" is closed. It would be unbecoming in an Englishman to complain of this regulation, seeing how completely we obey the Jewish laws, or rather what are thought to be the Jewish laws, as to the observance of "the Sabbath" in London, but it is our duty to observe that the French complain loudly of the closing of the new reading-room on Sundays, declaring that many persons who are occupied during the week would be glad to make use of the treasures of the Imperial Library on Sundays, were it in their power so to do. The officials of the public room can, if they see fit, grant a temporary order for the "*salle de travail*," to any person who may ask for a book which is not to be found in the public reading-room. This order, however, only holds good for a particular work and does not constitute a ticket of admission. These, however, are very liberally granted on application at the *bureau de l'administration*, to all persons showing that they have some definite object in view. Foreigners are generally requested to make an application through their ambassadors, but for the benefit of English readers we may mention that the production of the British Museum reading ticket will immediately obtain for the bearer a card of admission to any of the departments of the Imperial Library. This is a little international attention which we hope is imitated by the authorities in Great Russell Street.

And here we may take occasion to remark that whatever fault may be found with some of the arrangements of the French Library, no visitor can help being struck with the extreme courtesy of all the employés, from the highest to the lowest concerned. To speak only of the "*conservateurs-adjoints*," two of whom are always at the bureau of the "*salle de travail*," ready to give information and advice on every possible subject connected with literature; these gentlemen are not only always polite and obliging, but often put themselves to no small trouble in order to be of use to the public. And it must be remembered that men of letters are not always a very patient and forbearing race. They are very apt to visit the sins of the French Government and of the superior officers of the institution on the heads of junior librarians, who are no more to blame for the want of a catalogue, or the absence of desirable books, than the complainers themselves. It must, too, be sometimes a trying task for the gravest of the librarians to keep from laughing at the extra-

ordinary orders which they are requested to forward. Frenchmen are proverbially fond of a laugh, and it must be hard for the gravest to keep from smiling when a reader asks for "*L'Art de vivifier (vérifier) les Dates,*" or for "*Le Roland furieux d'Aristote.*" We fancy it must have been an Irishman with a very slight knowledge of French who asked for "*Une Table d'allitération pour parler aux Sourd-et-muet*" (*sic*). But in spite of many and frequent provocations we have always (and our experience has not been limited) found the librarians, and indeed all those in any way connected with the establishment, polite and affable, and anxious to give every information in their power.

We now come to the consideration of Ways and Means, which play as important a part in the destinies of great libraries as in those of great nations. It has been asserted* that, had 10,000*l.* a year been voted by Parliament for the purchase-fund of the British Museum Library, we should now be in possession of "the finest and completest library the world has ever seen, and perhaps a finer and completer than the world will now ever see." The correctness of such an assertion may be questioned, but few who are adequately acquainted with the subject would deny that if from the beginning of the reign of Louis XVI. such a sum, or even half such a sum, had been annually expended in acquisitions for the Imperial Library of Paris, that great collection would now be not only unapproached, but unapproachable. Unfortunately the grants of the successive governments which have been in power in France since the Revolution of 1789 have been dealt out with no liberal hand, and the guardians of the library must often have seen with sorrow sums of money lavished on comparatively trivial objects, a fraction of which would have sufficed to restore their cherished collection, if not to its old lofty pre-eminence among the libraries of Europe, at least to a place not wholly unworthy the ancient and well-merited fame of France as a land of letters. It would, however, be hardly fair to reproach the existing government with neglect of the interests of the national library, for we believe that the present vote is largely in excess of that granted by any previous administration. The total sum voted in 1848 for the use of the library was 10,880*l.*; it is now nearly double that amount. As to whether it is on a scale commensurate with the importance of the institution is a question our readers shall judge for themselves. We extract the following table from the French Budget for the year 1868.

* By the late Mr. Watts, in the "English Cyclopædia," articles—"Libraries."

Bibliothèque Impériale.(I.) *Personnel*—

	Francs.
Personnel de l'administration	37,000
Du 1 ^{re} département (imprimés, cartes, and géographie)	95,200
2 ^{me} département—manuscripts	52,400
3 ^{me} „ médailles	24,700
4 ^{me} „ estampes	27,900
Personnel de la nouvelle salle de lecture	46,500
Paie des ouvriers des ateliers de collage, &c.	19,600
Gages des gens de service... ..	33,150

 frs. 336,500 = 13,460*l.*
(II.) *Matériel*—

Acquisitions de livres, de MSS., de cartes, d'estampes, d'objets d'antiquité, frais de reliure, acquisition de la collection Labédoyère	114,350
Chauffage, éclairage [what business have lights there?], frais d'entretien du mobilier, frais des bâtimens, frais divers	37,000

 frs. 151,350 = 6,054*l.*

Grand total, 487,850 francs, or 19,514*l.*

Thus we see that the sum of 20,000*l.* is not annually spent on the Imperial Library, and even this sum of 19,514*l.* is divided among the whole of the four departments which form part of the institution. The case is much stronger against the French Government when we reckon up the sums spent on the printed books and manuscripts only, without taking into consideration the sums voted for the collections of prints and medals which, strictly speaking, form no part of the library. This would reduce to a still more insignificant figure the whole sum voted by the Corps Législatif for the support of the national library. It would be cruel to compare this budget with that of the British Museum, although few will be inclined to accuse Parliament of extravagance in its votes for that institution. It may be remarked, however, that the great English library spends 10,000*l.* annually, more than half of the whole revenue of its foreign rival, in the item of bookbinding alone. Although we are bound to confess that the Second Empire has not treated the Imperial Library worse than its precursors in power, yet it must be owned that Napoleon III., in spite of his pretensions to be a man of letters, almost a *savant*, himself, has not always shown himself so ready to encourage science and letters by material rewards as might have been expected. *Pancem et circenses* is, say its enemies, the device of Louis Napoleon's Government, and instances like that before us

almost justify the saying. It does not seem right that a great nation, a nation that has hitherto always justly prided itself on its love for arts and letters, should allow such priceless treasures as are included within the walls of the Imperial Library to be in daily, nay, in hourly, danger of destruction by fire. A collection of books is, at the best of times, one for which the effects of a conflagration are most to be dreaded, and for the protection of which it is impossible to take too many precautions; it seems, therefore, almost like a temptation of fortune to permit several private houses, and among them actually *an hotel*, to remain standing in the same block of buildings with, and only divided by a party-wall from, one of the most valuable, if not *the* most valuable, collection of books and manuscripts in the world. A very few thousand pounds would doubtless suffice to buy up the obnoxious block of houses in the Rue Vivienne, and, by isolating the library, do away with a constant source of danger, and, we cannot help adding, a crying scandal. When 2,000,000*l.* sterling is being spent on that tawdry, meretricious building, the new Opera House, it does indeed seem as if the Imperial Government cared less for the interests of men of letters than for those of singers and dancers. Every imaginable precaution has been taken to make the new theatre proof against fire—every effort seems to be made to place the library in danger of being burnt. Light wooden sheds are constructed for temporary wants within the building; the concierge has an open stove in his lodge; and to say nothing of the dangers we have already pointed out, a large pile of chimneys rises in the very centre of the building, which, to say the least, do not look safe. We repeat it, the Imperial Government lay themselves open to the accusation of not caring to spend money except where there is something very plain and palpable indeed to show for it. M. Edmond About, in his instructive and amusing book *Le Progrès*, has drawn up a table which shows at a glance the relative liberalities of the French Government. We give it here translated to show that even Frenchmen—and M. E. About is no “irreconcilable” enemy of Imperialism—complain of the conduct of the Government of Napoleon III in this matter.

Each French taxpayer contributes to—

	Francs.	Centimes.
The Imperial Library	0	40
The Imperial breeding-studs (Haras)	3	87
Pensions and rewards to men of letters	0	20
The Guillotine	0	20
State subscriptions to literary and scientific societies	0	14
The fête of the 15th of August	0	20
Scientific missions	0	15
The Conservatoire and the subsidized theatres ...	1	75

This table speaks for itself, no words can add to its eloquence. A Government which spends half as much in one day on a fête as it spends in a whole year on its national library may be wise, so far as bidding for popularity goes, but we can hardly applaud such a policy.

We have as yet made no attempt to arrive at an estimate of the number of volumes contained in the Imperial Library ; there is, in fact, no small difficulty in arriving at even an approximate estimate of the total number of books in a great library. At the Imperial Library itself, the most contradictory opinions prevail ; one librarian tells you that there are no less than three million volumes on the shelves, another that the sum total does not exceed a million, and that this number is only attained by counting pamphlets of a single sheet as volumes. We can only give a few of the principal estimates which have been made from time to time of the number of books which were in the national collection, and we leave our readers to form their own judgment from the various calculations. In the reign of Louis XVI., the total number of works in the Royal Library is said to have been 152,868 volumes of printed books ; this total would seem to have been obtained by the surest of all tests, that of actual counting. Pinkerton, who resided in Paris during the first five years of the present century, was informed that the whole number of printed books and pamphlets was then 350,000, but there is every reason to believe that this is too low an estimate,—the accumulations during the time of the Revolution alone being enormous, and besides, when Pinkerton wrote, in 1805, the plunder brought by the armies of the Republic and the Empire was still in the possession of the French. In his book on Libraries, published in 1819, M. Petit-Radel estimates the contents of the Bibliothèque Royale, as it was then called, at 700,000 volumes, including pamphlets. This is as much above the mark as Pinkerton's estimate was below, if we are to put faith in an official document obtained by the English Ambassador in 1850 at the instance of the Commissioners of the British Museum from the authorities of the National Library. According to this account there were at that date, of printed books, 750,000 volumes, including pamphlets, with a yearly average increase of 12,000 volumes ; of manuscripts there were 83,707 volumes. We think therefore that we shall not err greatly if we estimate the total contents at the present day at one million volumes of printed books, and one hundred thousand volumes of manuscripts.

ART. VI.—PAUPER GIRLS.

1. *Children of the State.* By FLORENCE HILL. Macmillan and Co. 1868.
2. *The Philosophy of the Poor Laws.* From "Studies New and Old." Trübner and Co. 1865.
3. *Report presented by the School Committee to the Guardians of the Eton Union.* Slough: E. Herbert. 1866.
4. *A Letter to the Guardians of the Poor.* By HANNAH ARCHER. Highworth: Ricketts. 1866.
5. *The Advantages of the Boarding-out System, &c.* By Colonel C. W. GRANT, R.E. London: Macmillan and Co. 1869.
6. *Twenty-first Annual Report of the Poor-Law Board.* 1868-9.

THE experiment which is now, with the reluctantly given consent of the Poor Law Board, being tried by some of our English unions, encouraged by the example which has long ago been set them in Scotland, is one which we hope is destined not only to place some check upon the growth of pauperism, but also to have a wide influence for good upon the condition of our lower orders; and though the system is yet in its infancy, sufficient results have been obtained to enable us to form some conclusions which we will endeavour to present in a succinct and definite form.

The Poor Law of 1834 was undoubtedly a vast improvement upon the miserably unsatisfactory practice which obtained at that time. Nothing can ever make, nor is it desirable that it should make, the pauper's life a pleasant one. The man who lives at the expense of the State has no right to expect more than that his life should be a trifle below the average in point of comfort of that which he would have made for himself by his own exertions at the ordinary rate of remuneration for the lowest kind of labour; for until that resource has been exhausted he has no right to come upon the State at all. Practically it is rather above than below this level, and it is right that it should be so, for there are good physical reasons why a man who is taken away from his ordinary habits of life, and made to live in an artificial state, as in a workhouse or a gaol, requires better living to maintain him in an equivalent condition of health. In this respect the pauper is better cared for, and his rights are more fairly recognised, under the new system than they were

under the old ; whilst the grouping of parishes into unions has introduced a more economical expenditure of the ratepayers' money, though we think we shall be able to show in the following pages that this very principle of centralization, which is so desirable in some respects, contains a vicious element which tends greatly to the fostering of pauperism, whilst the object at which we ought to aim is its reduction to a minimum.

Admitting then its advantages, there is no doubt that the New Poor Law in remedying certain great and crying evils which called loudly for redress, brought with it other and scarcely less formidable evils of its own. Without any disrespect to the aged poor who have given us their strength, and have a right to ask at our hands support for their few declining years, we may safely assert that our workhouses contain a very low class of people, not actually tainted with crime, it is true, but of a very low standard of morality, and for the most part of depraved habits. To put what we mean in the least offensive form, they may be said to be unfavourable specimens of the parishes from which they have been gathered. Now to congregate together in large masses, as the workhouse system necessarily does, the lowest class of twenty or thirty parishes, is clearly to intensify the low type of the community so produced ; that is to say—and for our present purpose we put the point more plainly than so obvious a truism requires—that any one given mind has far less chance of meeting with influences for good, and far more certainty of meeting with evil influences, in the society of a workhouse than it would be subjected to in the more mixed elements of parish life. The industrious intelligent poor, who are often gifted with as true a perception of that which is good and lovely as their betters, are not here ; the clear liquid has been strained off, and we have only the dregs which are left at the bottom. It may easily be imagined then that the moral atmosphere of a workhouse is something singularly foul, and all the reports which we receive tell us that it is so. We are not speaking, remember, of workhouse management ; nor are we casting the smallest imputation upon the many excellent and kind-hearted masters and mistresses who are discharging the duties of a thankless office with much credit to themselves, and are doing justice to the ratepayers as well as to the paupers under their care. We are only referring to what must be the inevitable result of the conditions under which the workhouse population is gathered together.

As regards the adult paupers, the low moral tone of the mass is only a measure of the low moral tone of the individuals composing it : if the lump is bad, it is because the elements which compose it are bad. The influence of a few vicious characters

would not so thoroughly taint a whole body of grown-up men and women whose characters are already formed before they come there. The badly disposed might become worse, the thoroughly vicious might urge one another to a deeper depth perhaps, but there would not be that uniform dead level of impurity which we are told is the rule of workhouse society; with, we fear, but few exceptions, few Lots to have their "righteous souls vexed from day to day" with the iniquity which abounds on all sides. The workhouse then is what the paupers *make it*. There is no specially depraving element in the system itself: the mischief is that it gathers together in one place the scum of many places, and concentrates into one society that which when distributed over some thirty parishes was rendered comparatively harmless by the large admixture of a better principle. It is the seething together in a cesspool of the foul streams which when plentifully diluted with water are deprived of their fatal power.

So far then as the men and women are concerned there is not so much wrong done to them. They bring with them to the "house" that which makes the place so evil. But into this corrupted atmosphere we have unfortunately to introduce the young: not merely the children of these depraved mothers and low-typed fathers, but often the orphan children of respectable parents. Only conceive now the case, which Mrs. Archer puts very well, of a little orphan pauper girl whom accident or illness has suddenly deprived of a father or a mother's care, and has thrown at a very early age upon the tender mercies of the State.

"When her last parent had been carried to the grave, and the furniture or any little remaining property has been disposed of—the table, the two or three chairs, the clock, grasped perhaps by a hungry relative, who pleads that she is 'out of pocket' by what she has done for the child since the parent's death, or during the last illness of the parent—the child is in most cases brought before the Board of Guardians, either for admittance into the workhouse or for the allowance of out-door relief under some friendly cottager's roof. It has often been described to me by a kind-hearted *ex-officio* guardian who has for years past considered it to be his duty to attend the weekly meetings of the Union Board, and who, although not himself the father of a family, can feel the yearnings of commiseration for the little destitute girl brought before the assembled Board, as she looks perhaps from one guardian to another wondering what it all can mean, how the question of the best mode of relief for the child is there discussed, and how at times it is decided that the orphan should be brought up in the workhouse. Imagine then a little girl whose home has thus been made to be the workhouse (the child perhaps of thoroughly respectable parents), having for future companions, her play-fellows, her enlighteners in the way of wickedness, the children who from time

to time live in the tainted air of the common lodging-house. She will, as time passes on, hear from them all they can tell of the wonderful goings on at the fairs which they are in the habit of attending ; she will hear strange stories of prison life, and the reported boasting of 'not minding it' from those who have endured it ; she will drink in with avidity all the news from the outer world, from which she is now excluded, and thus, as years pass on, she will put together a strange mass of information, which will possess her mind as a knowledge of life—almost the only knowledge of life which she, poor child, has a chance of obtaining."

And these companions will be her only friends ; for after a child has been shut up for several years in a workhouse her relatives will be glad to "drop" her, as bringing a sort of slur upon themselves, and thus any connexion with the outer world, or at least with the respectable portion of it, is for ever cut off.

But it may be said that Mrs. Archer is only drawing a fancy sketch, theorizing on the mere probabilities of the case, which may or may not be borne out by facts ; or the counteracting influences of the discipline of the workhouse may be such that in the working of the system there may be some self-correcting influences which—to borrow an illustration from Professor Blunt—"so often constitute the real worth of many a system which wears an unpromising aspect, and which, in spite of those querulous empirics who assure us that it ought to go intolerably wrong, persists in going tolerably right notwithstanding." But alas ! the practical working in this case only reveals more fully, the more it is inquired into, the soundness of the conclusion at which theory has already arrived ; for that which to the superficial examination of those who know our workhouses only from an occasional visit may appear satisfactory enough, is known by those who are more intimately acquainted with their inner life to be little better than "a goodly apple rotten at the heart."

We have a striking illustration of this in the case of the Eton Union—and we may very well refer to it, for no material alteration has taken place in workhouses generally since that time, now seven years ago. The workhouse school was examined both by the Government inspector, Mr. Tufnell, and also by the diocesan inspector, and was pronounced by both to be admirable in every department : the clean orderly look of the children spoke of the care taken in their management, whilst the success of the pupils, when in competition with those of other schools for the Diocesan Association prizes, testified to the excellence of their training. Surely then here we have a triumphant-answer to all objections to the training of children in a workhouse. But see how fallacious such a conclusion would prove. In spite of this apparent perfection, the school was for good and substan-

tial reasons entirely broken up at the very time that its excellence had just been so satisfactorily established. We do not find the reason for this abrupt change given us in detail anywhere, nor is it necessary that we should inquire too closely into the matter. Suffice it to say that so unexpected a conclusion was not arrived at without due investigation on the part of those who had all the facts before them, and were well able to estimate their just weight: and that when the reasons for this decision were laid before Mr. Tufnell himself, in spite of his own previous favourable verdict, that gentleman very candidly confessed that they were quite sufficient to warrant the step which was proposed to be taken. "I fully concurred," he says, "in the decision of the guardians." One fact is mentioned which is sufficient indication of the nature of the rest. "Before arriving at this determination the guardians had caused a return to be made, showing the particulars, so far as they were known, of all the children placed out as servants or apprentices for four years. More than forty per cent. had turned out ill."

The children were then removed—this was in 1862—to the Central London District School at Hanwell, and yet in the very next year we find the guardians as dissatisfied as ever with the condition of the children, and in the autumn of 1863 they were again removed. The "reasons for dissatisfaction with the district school system" were stated fully in a letter addressed by the guardians to the Poor Law Board, which may be thus briefly summarized. It was admitted that the larger district school has an advantage over the workhouse school in one respect—viz., that industrial training of various kinds is more easily attainable; but, on the other hand, it is chargeable with the same defect as the union school. "That defect is nothing less than this, that in the one school as in the other children are brought up under conditions the very reverse of those which, by the constitution of human society and the experience of all time, are pointed out as naturally best adapted for the development of the child's powers, physical, intellectual, and moral." The conditions of *family* life—the God-appointed normal state of man—exercise the child's intellectual powers by presenting to its observation a variety of outward objects, whilst its moral powers are called forth by a similar process of unconscious exercise, and of growth following upon exercise. Love for those on whose love and care it is dependent; reverence for those whom it has learned to trust; obedience, self-restraint, a desire for usefulness, these and such like are the natural results of the well-ordered family life, and grow, as the grass does, one cannot tell how, so imperceptible is the growth. It is, moreover, just the very best preparation for the great battle of life. The little troubles, sorrows, cares,

joys, and difficulties of childhood are only types of the mingled life it will have to meet with on a larger scale in the world of manhood. Its very variety and mixed nature constitutes its great value as a system of training, because it is a real and natural training. But compare this with the artificial life of the workhouse, where "the child's earliest years will be passed with no greater variety, even of outward objects, than is afforded by the four whitewashed walls of the workhouse nursery, and the four brick walls of the workhouse court. The same objects and the same faces come before the eye day after day; the same events repeat themselves at the same hours, with the wearying monotony of a well-ordered system." The moral and mental powers are blunted for want of exercise. What a change for a child to pass suddenly from such a life as this into the outer world. "With a training so wholly unnatural, it is rather matter for wonder that *any* should turn out well than that many should turn out very ill." No holidays to break the weary round, no birdnesting, no tree to climb, no brook to dam up, no mud-pies, no possibility of getting into a scrape, nothing more lively than a solemn walk along the turnpike road—who can wonder at the dull, heavy, spiritless look of the genuine "workhouse boy," as compared with the overflowing *life* of the turbulent little mortals who form the village school. The "children of the State" are no doubt far cleaner to outward appearance, their clothes have the full complement of buttons, their bodies are what the doctors would call "well-nourished;" but how dead the expression of the eye, the dull, heavy, meaningless look of a vacant mind evidently without hope in the world, and growing much as a vegetable does. Compare these with children of the same class in the villages round, with their torn clothes, scratched faces, and scanty food; but how bright their eyes are, brimming full of sauciness or merriment: troublesome little brats, if you will, and ill-smelling, but human beings.

We are led then to expect that the result of such training *would* be bad, and the actual results abundantly prove that such a conclusion would be just, for not only is the system one which dwarfs the intellect and weakens the moral powers from the mere want of the healthy stimulus of exercise, but there is another element to be introduced into the consideration. We have not only to contend with the *negative* evil arising from the absence of good influences, but we have the *positive* evil of the presence of bad ones. Here we must return for a moment to Mrs. Archer. Her testimony is the more valuable because she is not a mere theorist, but a practical person, intimately acquainted with the real life of the workhouse, who speaks what she knows, and testifies what she has seen.

"A short time ago I visited the workhouse of the district in which I live, and found upon inquiry that there were seven women then in the house of bad character, to whom belonged fifteen children; and that these seven women and fifteen children were constantly leaving the workhouse and returning to it after a short absence. Now in the girls' school at this workhouse there are about thirty-five children, among whom there are two or three orphans. What chance then can these young friendless residents have of a proper moral training, when fifteen of their companions have depraved mothers for their instructors, and whose acquaintances out of the workhouse are most likely dissolute outcasts? Will not such children impart to the workhouse orphans just that kind of knowledge from which every thoughtful person would wish to guard a child?"

And here we must carefully distinguish between the evil which is now being complained of and that to which attention was called some years ago; for if not we shall be met with the triumphant answer that we are speaking of an old grievance which has long since been remedied. We are doing nothing of the kind; we are speaking of that which obtains at this very day. The old complaint was indeed a grievous one—viz., that the children in workhouses were exposed to contamination by mixing with the *adult* paupers; and so gross was the state of things that even the Poor Law Commissioners themselves speak of it in their Report for 1841 in such language as this:—"The atmosphere of a workhouse is tainted with vice; no one who regards the future happiness of the children would ever wish them to be educated within its precincts." A state of things which could wring such a sentence from the very authorities under whose auspices it had grown up needs no further condemnatory evidence.

We may have our own opinion—and that one not lightly formed, but derived partly from our own personal knowledge, and partly from abundant material now lying before us—as to whether the mischief *has* been so effectually remedied as is stated with that confidence which is so eminently satisfactory to the official mind, whatever it may be to *nous autres*. Indeed, in the very last Report of the Poor Law Board, issued only a few months ago, we find a passage which seems to admit that the complaint is not without foundation even now. Mr. T. B. Browne says, "It is doubtless injurious to children that they should be in the same building with adult paupers, however complete the classification may be." Why? if not for the reason that the theory of strict separation, which is insisted on as having been so completely carried out, cannot be perfectly maintained in practice.

But we may let this point pass: it strengthens our case if it

can be proved, as we think it can, but it does not weaken it if it *cannot*, for it will be carefully observed *this* is not exactly the evil which is being complained of now. It is not so much the corruption which proceeds from the mixture of the adults with the children that we are alluding to, but the evils which arise amongst the children themselves : so that any arguments based upon the more perfect separation of the children are wholly beside the mark, they do not touch the point for which we are now contending—viz., the vicious element which arises from the admixture of the regular workhouse children with the “casual” children, “some of whom”—we are quoting from Mr. Browne again—“must be of depraved habits and familiar with vice, and association with such is necessarily injurious to the others.” The old evil so long ago complained of is there no doubt, in a modified form, and a very serious one it is ; but even if it were effectually removed, so that it absolutely ceased to exist, that would not affect the other, and scarcely less serious one, which belongs to the children’s ward itself

And this too renders quite unnecessary all the virtuous indignation of the inspectors as to the excellence of workhouse schools. We admit at once that they bear favourable comparison with other schools so far as relates to instruction, and all that a chaplain, or inspector, or schoolmaster can vouch for. They know nothing and can know nothing of that undercurrent of vice which is poisoning the young minds committed to their care. Their business is with multiplication-tables, and reading, and orderly behaviour in school : they cannot prevent, nor must they be held responsible for, that hidden teaching of another kind which is more than neutralizing all their efforts. Taking, for example, the union referred to in the passage we quoted just now from Mrs. Archer—which we suppose was the *Higloworth and Swindon Union*—out of the thirty-five girls in the house “fifteen were the children of women of bad character who were constantly leaving the house, and returning to it after a short absence!” Another authority tells us—we quote it from Miss Hill’s book—that “many girls discharge themselves of an afternoon for the purpose of prostitution, and return late to the house.” In fact testimony of this kind abounds on all sides : we could fill pages, let the above suffice. Now what sort of teachers are these abandoned girls likely to prove to the young ones, many of them orphans, who as fast as they attain the age of sixteen become free to go or stay, just as they please. The law has no longer any power over them : it is bound to provide them shelter if they choose to seek it, the streets offer them temptation to leave it : what other result can be expected than that which reveals the dismal fact that a third, a half, in

one case "eighty per cent. of the girls take to a life of prostitution."

It is true that those who are unwilling to admit the existence of evils which they do not see how to remedy will comfort themselves with the glowing assurances given them by Mr. Hawley and his brother inspectors, that the children from workhouses "go out into the world far more skilled [in domestic duties] than the children of independent labourers; are more trustworthy, docile, and obedient, and are of better moral character; and that such is the case is satisfactorily proved by the preference given to them by employers." We quote this passage because we wish to state the matter fairly, and have no desire to exaggerate our case, which is strong enough as it stands: we may safely leave it to the reader to estimate the amount of "preference" which is given to "a girl from the union" on the score of docility, and other virtues; but as Mr. Hawley meets the charge against the workhouses with a direct negative, it becomes necessary to inquire into the merits of the case rather more closely.

In weighing the value of evidence we have not only to consider the testimony itself and the personal character of the witness, but we must also take into consideration the opportunities which that witness has had for forming an opinion, the probabilities of the case, and how far he would be likely to be able to get at the real truth. This truism applies very closely to the case in hand. A young orphan girl attains the age of sixteen, and is fit for service. The matron of the workhouse, a really kind-hearted person, we will assume, and sincerely desirous to do her best for the friendless girls under her care, has an application for a servant. The girl is recommended, and goes to her place. It is a wholly new life to her, she is willing enough, but hopelessly awkward; she has to dust the little parlour, which, though a very humble affair no doubt in a house where a girl from the union is the only servant, is in her eyes a little paradise; she is not accustomed to the handling of fancy crockery, and breaks some favourite ornament; she disgraces her mistress by her *gaucheries* before company; in fact she "wont do at all," and loses her place. Now what is the poor girl to do? With such a character as her mistress would give her what chance has she of getting another situation? She has no friends, no home but that weary workhouse again, from which she was just rejoicing at having got free. Now comes the fatal influence of the companionship to which she has been accustomed. She does not go back to the workhouse because she has found a way of maintaining herself.

And yet if by chance there should be any one who cares to inquire about her, the mistress of the union would say con-
[Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. II

scientifically enough that she was in service and doing well. This must be borne in mind in estimating the value of a Poor Law inspector's testimony on this point. When a girl arrives at the age of sixteen, and leaves the workhouse, the Poor Law washes its hands of her, she is free to go where she pleases, and do what she likes. Having been placed out in service, and nothing being known to the contrary (how should it be?) she is considered to be "doing well"—an euphemistic expression which, in official language, means that she does not come upon the rates again; the fact may be that she does not return to the workhouse simply because she has found a profitable mode of life in the streets of that "wide world" which Mr. Hawley—not meaning it unkindly—says is her "natural home!" That this is true of a very large proportion of the returns which look so well upon paper, we are assured by Miss Cobbe, who tells us that "out of a single workhouse in London inquiry was instituted concerning eighty girls who had left it and gone to service, it was *found that every one of them was on the streets!*"—"Philosophy of the Poor Laws"); by the Hon. Mrs. Way, who expresses her belief, "founded on observation and inquiries pursued in every part of England for many years," that eighty per cent. of the girls the workhouses send to service are *failures*; by masters of unions, guardians, magistrates, friends of the poor of all kinds, who say, in every variety of language, but with wonderful uniformity of meaning, that to use Miss Cobbe's glowing words in another place, "one of the largest channels through which young lives are drained down into the dead level which underlies all our vaunted civilization is the workhouse; by Miss Hill, who tells us that, "a lady wishing to befriend workhouse girls in service, obtained from the authorities what they believed to be the addresses of a large number who had been recently sent to situations; but on applying at forty-five of the addresses she found fourteen only of the girls. Yet though less than a third were discoverable, all would doubtless have been returned in good faith by the parish officials, if called upon for a report, as conducting themselves well."

All this, it will be easily seen, is perfectly consistent with the supposed excellent working of the Poor Law as seen with official eyes. Just as in the case of the Eton Union the school was broken up at the very moment when it was pronounced by two independent inspectors as being in so thoroughly satisfactory a condition. But the guardians who were behind the scenes knew better; they knew that underneath this fair outside, which is all that the most lynx-eyed inspector can possibly see, there was evil at work which far more than counterbalanced the good, and the school was broken up.

We now pass on to the district school, in which the contamination with adult paupers is entirely got rid of, and which bears to the workhouse school something of the same relation that the public school does to the private one; wanting, however, that which, with us, gives the public school its chief value, the self-reliance engendered by greater liberty. It is a larger field, with more varied influences; a more bracing air, so to speak; whilst the introduction of a better system of industrial training gives something more like an approach to the condition of real life. And so far well. The visitor to a large establishment of this kind—say the Central London District School—cannot help being favourably impressed with the healthy aspect of the scene, and newspaper paragraphs record in glowing words the entire success of the institution. To a certain extent we will admit that the praise is deserved, *i.e.*, that the work is extremely well done, and that much credit is due to the conductors of these schools for the care and perseverance and energy with which they have worked out their share of the problem. Why then were the Eton guardians not satisfied? We have already given their reasons—viz., that this artificial system, which deals with large masses, does not tend sufficiently to form the habits and strengthen the character of the individual units that compose the mass. It is as *units* that they will have to go out into the world and fight the battle of life, and a child who has been brought up to act always with a row of others, to turn to the right or to the left at word of command; to work, play, eat, think, and even sleep *in class*, feels itself absolutely lost when it comes to stand alone, and has to direct its own actions. There is too much system. The individual becomes a mere cog in an engine of many wheels, whereas in real life it has to be in itself a many-wheeled engine.

We must admit, however, that we do not entirely agree with this view as regards the *boys*. We believe that the benefits derived from superior industrial training far outweigh any disadvantage of this kind; but we are writing chiefly of *girls*, and with them the case is very different. Woman's place is in her own home, and, if we would but believe it, more of our social welfare depends upon what women make their homes than is commonly supposed. How many drunkards have been made by slatternly wives and untidy homes? It would lead us, however, too far astray to go into this. Let the common proverb, "Man is what woman makes him," suffice to show the extent of its application. As wives influencing their husbands, as mothers training their children, it is of the utmost importance that in all our attempts to raise the character of our lower orders we should look most to the training of the future mothers. Raise

the woman, and she will find means by her own natural influences to raise those who are dear to her ; but degrade the woman, and your best exertions are rendered powerless. It is through the women then that we shall strike the most effective blow at pauperism, and it therefore becomes doubly important to ask whether, in our treatment of the girls, we are adopting a wise course in submitting them to the operation of an inflexible law which treats them on the same principles as boys, when the conditions of their life are so opposite.

In this respect then we maintain that for girls the district school is a step in the *wrong* direction. The work there is better done than in the workhouse school, but it is not work of the kind we want, or rather it is work of precisely the kind which we do *not* want. Females never mass well, either in schools, orphanages, homes, or institutions of any kind, whether as girls or as adults, and we are glad to see at last a recognition of this truth by the Poor Law officials themselves. In the last report, Mr. T. B. Browne says, "very large assemblages of girls are unfeminine." It is true that he is comparing the workhouse school with the district school, and evidently much prefers the former, but it appears to us to be merely a question of degree. The district school is a greater evil (in the case of girls) in that it is larger, and therefore masses greater numbers, but the smaller school is, in our opinion, equally bad in principle. The normal condition of woman's life is domestic ; and that which most closely follows the dictates of nature is almost invariably the most healthy course to pursue.

How then shall we best attain this desirable condition ? The remedy is very simple. When the death of one or both parents has deprived a child of its natural protectors, the next best thing that the State can do for the friendless little orphan is, not to throw it, as the present system does, into a wholly artificial state of life, but to restore it as much as possible to the natural conditions of its existence, by handing it over to foster-parents who will supply for pay the care which its own parents would have given for love. This of course raises the question, Will such a scheme work ? Will people be troubled with children that do not belong to them ? Visions arise of ill-treatment, cruelty, and neglect : we are reminded of the suspiciously high rate of mortality amongst the *enfants placés* in France, and in fact there is a disposition to a decidedly Podsnappian treatment of the question.

On inquiry, however, these objections entirely disappear. The experiment has been fairly tried, and so far as we have heard—and we have taken some pains to inquire into the working at the various unions where it has been adopted—there is every

reason to be satisfied with its success. So far from any difficulty being experienced in finding persons willing to receive the children, the objection is found in practice to be entirely groundless. One of the most recent cases we know is that of the Bath Union, which only decided upon adopting the system in April last, and the first quarterly report, now before us, states that "the applications were so numerous that fully as many more orphans could have been placed out if there had been any more in the workhouse." Numbers of applications were refused by the committee from persons who were not considered suitable, in consequence of their living in the city, though otherwise very respectable. In short, there is no difficulty whatever in finding suitable homes. Members of the committee had visited the children without any previous notice of their coming, and were "much pleased at the already altered appearance and happy demeanour of the children, and at the kindness of tone and manner of their foster-parents towards them, notwithstanding their ignorance of the common ways and duties of domestic life, inseparable from their former condition."

It remains then only to consider what is nevertheless a very important element in all philanthropic movements, the question of cost. There is a fashion in philanthropy as in everything else, and a work which is to be permanent ought to possess such intrinsic advantages as will enable it to stand on its own merits; for if only borne on the flow of a tide of fashion, it may possibly be left stranded on the ebb. If therefore we are to look for any abiding results, the cost of a movement must be such as can be fairly borne by the ordinary resources of the ratepayers, without looking for any adventitious support from philanthropy. And this test only shows more clearly the superior advantages of the boarding-out system.

The question has to be considered from two points of view: the children's welfare and the ratepayers' obligations. As regards the former we have endeavoured to show that to take a young orphan out of a respectable home and cast it into the vortex of workhouse society is, in all probability, to take from it all chance of ever being able to raise its head above the veriest dregs of the community, giving it the impurest society possible, and rendering it unfit for any other. The consequence of this treatment is that the child is thoroughly pauperized, heart and soul; the workhouse is its natural home, and it becomes a burden upon the rates for the greater part of its life, unless it prefers to *escape the degradation by adding to the ranks of vice*. What a prospect for a young life which, by a little judicious help for the first few years, may be restored to the position of which the death of its parents deprived it.

Upon the superior advantage of the boarding-out system in this respect we need only select, out of a mass of testimony, that of Mr. Greig, the Clerk to the Edinburgh Parochial Board, who, speaking after many years' experience—for those shrewd men of the North have been far ahead of us in this matter—says—

“It is a *rare thing* for a boy or a girl who has been brought up in this way to *become chargeable to the parish in after-life*; and I may add that, where the children were brought up in the hospital or school here, which was apart from the Poor-house, they very frequently became chargeable in after-life.”

But as to the present cost? If we take into consideration the proportion of the cost of workhouse buildings, staff of officials, and other expenses which make up the total charge incurred for the maintenance of the poor in the “house,” we shall find that the placing out of the children does not cost one farthing more than maintaining them in the workhouse. Indeed in some cases—the Bath Union for example—boarding them with cottagers obviates the necessity for spending money upon enlarging the children’s wards. We observe that some of the more sanguine advocates of the new plan adopt this mode of estimating the cost;* but we wish to place the matter fairly before our readers, and we will admit that, looking to the mere cost of food and clothing, and omitting all considerations of the workhouse building, which is already there, and the official staff, which exists whether or no, it may perhaps cost the ratepayers rather more to place the children out; but we must look to the future as well as to the more immediate expenditure. As a matter of economy, no less than on the ground of the duty of a Christian State, it is better for the ratepayers to adopt that system which, by enabling the child to do better for itself, relieves the rates from the burden of its maintenance at the earliest possible period. Say that the orphan is thrown upon the State at six years old. It will be legally under the protection of the guardians for ten years, and when it attains the pauper’s majority of sixteen its expectation of life, according to the usual calculation, would be rather more than forty years. Is it better to exercise a judicious liberality in the first ten

* The Eton guardians, for example, in the Appendix to their Report, which we have already referred to, give a statement of the cost of maintenance, clothing, and education of the children—(1) in the workhouse, (2) at the district school, and (3) when boarded out; and the results are as follows:—

1. In the workhouse, 4s. 2½d. per week, of which sum, however, 5½d. is for education, which is repaid out of the Consolidated Fund.
2. At Hanwell, 5s. 3½d. per week.
3. Boarded out, 4s. 2d. per week.

years, and reap the benefit in having made the child independent of further aid, or to have it a helpless burden upon the rates for the other forty years besides?

For that is what it practically comes to with the majority. Either as paupers or as criminals these waifs and strays of humanity are a burden upon the State for life. The test which Mr. Hawley and his brother inspectors apply as to the return to the workhouse of those who have been brought up there we have already seen is utterly fallacious. They do not return because they are doing worse: but let it not be forgotten that in this other form they are a far greater blot upon our civilization, and a greater positive burden upon the community. As paupers we know the worst of it. We may put them down as costing us in round numbers 7*l.* apiece annually; but outside the walls of the workhouse who can tell *what* they cost us? In wasted alms, in petty pilferings, in greater thefts, in the elaborate machinery of police, and gaols, and convict establishments, in the influence of immorality, in the far-reaching vengeance of corrupted blood, we have items which defy calculation: and when we consider the connexion between pauperism and crime we can hardly wonder at the growing cost of each, when we remember that we are recruiting the standing army of pauperism by bringing up 57,749 children (the number in our workhouses on 1st January, 1869) in such a way as to insure their being paupers for ever, unless, as we said before, they escape the degradation by becoming criminals.

It only remains for us to add that in Scotland, where the experiment has now been tried for twenty years, they are so well satisfied with its working that in the new Poor House at Edinburgh, built at a cost of 40,000*l.*, no provision whatever is made for children. As Colonel Grant well says, "This is indeed 'crossing the Rubicon,' 'burning the boats.' They give themselves no power or means of shutting up pauper children in schools, and have by this one act struck one of the hardest blows at the very root of pauperism, as nothing can so tend to check this running sore as to commence by depauperizing the children."

This we do in the case of boys by giving them a thoroughly good *industrial training* in the district school, which we would keep chiefly for that purpose, leaving the primary education to be done by the ordinary workhouse school; thus placing in their hands tools wherewith they may be enabled to take their stand amongst the industrial population—breaking up their old associations, and, as Mr. Tufnell says so happily in his last report, "sending them into the world as far removed as possible from their own miserable relations and

parishes, where they have known nothing but vice and misery."

The girls we restore to the softer influences of home life : fitting *them* better for the part which they have to play. By the boarding-out system we give them the advantage of *selected* foster-parents, who will therefore probably be rather more respectable than their own parents would have been had they lived.

In both cases we may hope that we have done something to mitigate the evil, for we may reasonably expect that those who have been thus judiciously treated will never trouble the State again. We have done our duty honestly, and we reap the reward.

This we are convinced is the course we must adopt if we would entertain any hope of checking the growth of the poor-rates. It is to little purpose that we use the most rigid economy in the administration of funds whilst we are recruiting the standing army of paupers at so rapid a rate. Vice is hereditary : so is pauperism. "After their kind" is the law of generation impressed upon men, as well as upon animals and plants, from the world's first genesis until the present hour. The physically weak and the morally tainted hand down to their children their depraved natures ; and these again, starting as it were from a lower level, produce others still weaker and more deeply tainted. They themselves a shade lower in physical and moral strength than those who begat them, in their turn bring into the world a race somewhat more feeble.

"Ætas parentum, pejor avis, tulit
Hos nequiores, mox daturos
Progeniem vitiosiore."

Paupers breed paupers, as surely as breeding from well-bred stock improves our race of cattle, and it is of little use our grumbling at the pressure of our poor-rates and police-rates whilst we are feeding, at such a rapid rate, the supply from which our paupers and our criminals come.

ART. VII.—PROSTITUTION: HOW TO DEAL WITH IT.

The Contagious Diseases Acts, 1866 and 1869.

IN the Article entitled "Prostitution in Relation to the National Health," published in this Review nine months ago, evidence was adduced proving that the diseases associated with prostitution are very widely spread throughout this country, and that they are producing a profoundly degenerative influence on the physical life of the British people. Three months ago we published a review of the governmental experiments which have been made in several continental cities in controlling prostitution, and exercising a sanitary influence on prostitutes themselves; and we showed that all those experiments had been attended by one and the same result—total failure to accomplish the object intended. Is, then, the policy of *laissez-faire* the best policy after all? Is that concurrence of stolid indifference and religious horror which has induced the English people to ignore both prostitution and the diseases it produces, to be, indeed, accounted the highest practical wisdom? Must we really sit down with our hands folded in despair in presence of the terrible evil we have described, and mutely recognise the appalling, if truthful, doom which has so often been pronounced, that prostitution as well as the diseases connected with it shall always be with us? We believe not; and faithful to the idea that by prolonged study and earnest strife, so to establish the mutual relations of men and women, that prostitution and its diseases shall cease, humanity will not labour in vain, we shall in the present article point out what steps may even now be taken for lessening and preventing those diseases without violating any principle justly held sacred by moralists, political economists, or statesmen, and without outraging the feelings or destroying the personal liberty of even prostitutes themselves. We must premise, however, that our theme is not on this occasion the abolition or even diminution of prostitution, but only how most effectually to lessen and prevent the spread of the diseases incidental to its practice. But though it will be no part of our present task to discuss the possibility of, or to indicate the causes which may ultimately co-operate in annihilating prostitution itself, we shall nevertheless do the duty we are about to do in a spirit at least harmonious with that animating those workers who are severally striving by various methods, more or less judicious, to accomplish that end.

Since the publication of our article entitled "Prostitution: Governmental Experiments in Controlling it," some important additional facts confirmatory of the views we have expressed have come before us; and as it seems to us desirable at this

conjuncture to enforce those views in the strongest possible way, we shall venture to adduce that evidence here before devoting ourselves to the main purpose of the present article.

Information which we have obtained respecting the effects of the system of surveillance in Holland, confirms all that we have already said respecting enforced sanitary supervision. The following table embodies the latest information obtainable concerning Rotterdam :—

Table showing the Number of Registered Prostitutes, of Clandestine Prostitutes arrested, and the number of the latter found diseased, at Rotterdam.

Years	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.	1867.
Population	102,812	104,724	106,458	107,929	109,738	111,403	112,728	114,052	115,354	115,277	117,104
Registered Prostitutes	353	356	355	320	317	320	311	298	289	261	258
Clandestine Prostitutes Arrested ..	170	252	221	105	120	121	130	122	109	96	106
Clandestine Prostitutes found Diseased	47	61	52	32	27	36	40	29	31	29	35

The women in the brothels are subject to medical examination at Rotterdam once a week ; those who live in lodgings (*filles isolées*) are compelled to attend at the hospital for examination once a fortnight. Of the former, 1 per cent., of the latter, 4 per cent. are found to be infected. These results are the reverse of those in Paris, where the *filles isolées* are healthier than are those in the *maisons de tolerance*. During the eleven years ending 1867, there were on an average 313 women on the register at Rotterdam ; during the same period there were on an average 141 women arrested every year as clandestine prostitutes, and of these the average annual number found diseased was 38, or a greater proportion than 1 in 4. According to the table, the number of registered prostitutes in Rotterdam has been steadily decreasing, while the number of the population of that city has been steadily increasing. The number of clandestine prostitutes arrested yearly does not increase—a fact due, we presume, to their experience and increasing skill in evading the police who seek for them. Our informant, a physician resident in Rotterdam, assures us, however, that there is a very large amount of clandestine prostitution, and that “even many are conducted into prostitution by the mother herself.” How effectually she can help her daughters to evade the police may be easily imagined ; but in this matter the aid of the imagination is not even needed ; for, as we have already shown, the Paris authorities, when attempting to deal with minors who prostitute themselves, are constantly baffled by

their parents, who, alleging their parental authority, claim them when arrested, and protect them while continuing their career.

The story of prostitution at the Hague, given in the following table, is essentially the same as that just recounted concerning Rotterdam, though somewhat differently told :—

Table showing the Number of Registered Prostitutes, of Brothels, and Maisons de Passe, at the Hague.

Years	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.	1867.	1868.	1869.
Registered Prostitutes }	130	130	130	120	120	120	120	115	115	110	110	96	82
Brothels	15	15	14	15	14	15	16	16	12	12	9	9	9
Maisons de Passe	9	9	8	9	8	8	8	8	9	9	8	8	8

The population of the Hague, which in 1861 was 89,000, is increasing yearly, and yet, as the above table shows, the number of registered prostitutes there is steadily decreasing, the numbers having gradually fallen from 130 to 82; and simultaneously the number of brothels has fallen from 15 to 9. But, as in Paris, while recognised and superintended prostitution is continuously declining, that which is carried on in spite of the police is as continuously developing into vaster proportions. The Commissary of Police at the Hague says, that while the number of clandestine prostitutes known to the police, but whom they cannot get under control, is "always increasing," the number not known to them is, he is sure, still greater. Our informant adds, "There is in our country, as everywhere else, a tendency to indulge in beautiful clothing, to make a show, to assume the style of a *grande dame*, and those women having no money must find it somewhere; hence not only beautiful poor girls, but many others procure it by prostitution;" and the police know very well that they cannot, and dare not if they could, place the majority of such women under sanitary control.

Moreover, it appears that the one redeeming feature of the system of surveillance which is lauded as a product of it in most continental countries, and which is expected to justify the establishment of the Contagious Diseases Acts in England—viz., diminution of venereal disease in the soldiery, is in Holland conspicuous by its absence. It is true that in some cities the numbers of cases of soldiers affected with those diseases has lessened since the system of surveillance was established; but in others it has increased, and that so considerably, that the average total number of cases yearly is actually greater now than it was before that system was introduced. The exact numbers are as follows: Before its introduction there were 1786 cases yearly amongst

15,913 soldiers ; since its introduction the numbers given are 2241 cases yearly amongst 16,810—*i.e.*, before, 11·2 per cent., since, 13·3 per cent. These statistics are official, and were published in 1868 by Dr. Huet, now first physician to the hospital in Amsterdam.

In Naples, according to Dr. John Webster, who has recently visited that city, a system of police and sanitary superintendence of prostitution, modelled on that of Paris, has been established ; and for the reception and treatment of diseased prostitutes there is a hospital containing upwards of 300 beds. Dr. Webster found that at the time of his visit 1509 prostitutes were licensed by the authorities, that of these only 241 were reported to be healthy. The remaining 1268 were more or less diseased : 501 of them had been in the hospital for venereal diseases once, and 767 of them several times. Side by side with this large number of registered prostitutes there is a large number of clandestine prostitutes, and "it is asserted," as Dr. Webster says, "that the Neapolitan metropolis is one of the most dissolute places in Europe. Indeed there, as in Paris and elsewhere, police laws do not diminish prostitution ; nay, they even tend to augment immorality." The above figures, which Dr. Webster says he obtained from a printed and official document, reveal an amount of disease among the registered prostitutes at Naples so very much greater than is observable in the registered prostitutes of other cities, that were it not that Dr. Webster assures us of their correctness, we should suppose he had misapprehended or had wrongly copied them.

Having reviewed the effects of the system of surveillance now in operation in many parts of the Continent, and having shown that that system always fails of its main object—diminution of venereal disease in the general community, and generally fails even in diminishing venereal disease among the soldiery—we will now consider certain remedial or palliative plans which have been recently proposed, and will then proceed to explain our own suggestions on the subject.

The magnitude of the evils, both physical and moral, connected with prostitution in Paris, and in great measure referrible to the system of surveillance practised there, are now causing it to be called in question even by Frenchmen. For while, as we have explained, the proportionate (and recently the actual) number of registered prostitutes in Paris is lessening, while the number of brothels is lessening, and while the number of girls living in them is lessening, the number of clandestine prostitutes whom even the Paris police cannot touch, is steadily and enormously increasing. And simultaneously with the progress of this change, the recognition and establishment of prostitution

as an indispensable element of civilization have caused the social life of Paris to become more and more profoundly contaminated with sexual vice : the tides of immorality and dissoluteness have successively risen and have spread themselves through increasingly wide areas of domestic life ; and at length the thoughtful and experienced men in Paris are appalled by the vast development of disease and profligacy around them, and the eminent surgeon of the Hôpital du Midi, M. Lefort, has felt constrained to devise a remedy for the evil—a remedy peculiarly characteristic of the country of its prescriber. M. Lefort, who like most Frenchmen dreams of no remedy except that which may be applied by the forcible agency of Government, suggests that the only means of combating the evil with a chance of success are the appointment of a body of police sufficiently large to control 50,000 women ; the compulsory residence of all the prostitutes of Paris in brothels—all women leaving them without permission to be punished by imprisonment when recaptured ; the appointment of a medical staff sufficiently large to examine all the women in these brothels twice a week ; and finally, the condemnation of young girls (minors), after detection in the act of prostitution three times, to enforced residence in brothels as regular prostitutes, their parents' reclamation of them notwithstanding. Such is the goal to which the system of governmental control of prostitution is tending in Paris ; such, we may add, is the goal to which it inevitably tends in all places, and the greater the city the stronger the tendency. The mere statement in England now of M. Lefort's proposal will, we apprehend, insure its condemnation, and we shall be somewhat surprised if it finds favour even in Paris. Indeed, we incline to believe that the time is not very far distant when the official mind of that great centre of faith in the efficacy of bureaucracy will abandon the hope of lessening venereal disease and promoting morality by Government agency, and with that hope will abandon altogether the system of *police medicale* to which registered Paris prostitutes are now subject.

In fact, we cannot help thinking that the recognition of the necessity of such a scheme as that gravely propounded by M. Lefort is a complete *reductio ad absurdum* of that system. *Experientia docet* ; and nothing but experience dearly bought seems capable of disabusing the French mind of its fanatical faith in the power of Government to do all things. It appears, however, that in Paris the opinion that the system in question is a failure is gaining ground, and now that constitutional government is being re-established there, it is hardly probable that those champions of political freedom who are taking their places in the foremost ranks of the political world will continue to

support a system which is a direct emanation of the despotic spirit, which is not authorized by any constitutional authority ; which is sanctioned neither by any Act of Parliament, nor even by the Code Napoleon ; which is administered despotically ; which involves such an outrageous violation of personal liberty that it is constantly rebelled against and constantly defeated ; which has failed so signally that prostitution and the diseases associated with it were never more prevalent in Paris than they are now ; and which, in order that it may work effectively, is now said to need 50,000 policemen and a corresponding large staff of medical officers. The mere expense of such a body of men for such a purpose will itself prove an argument of no slight force—an argument, in fact, sufficiently powerful to constitute of itself probably an insuperable objection to the application of the system on the scale and in the manner which logical conformity to the principle it embodies would require. But though the majority of Englishmen will probably laugh at the idea of appointing 100,000 policemen to watch over the prostitutes of London and compel them to live in legally recognised brothels, that same majority, as well as a majority of the House of Commons, is, we fear, prepared to introduce not only into London but into every town of the United Kingdom, the very system which, unless applied with the logical thoroughness advocated by M. Lefort, will prove abortive, and which, however applied, will, as we showed in our previous article, work an unspeakably large amount of evil. We think it expedient, therefore, to direct especial attention to the experience which has prompted M. Lefort to make the proposals we have described.

As already pointed out, the experience of the various cities, the prostitutes of which are subject to the system of *police médicale*, proves that the number of registered prostitutes in proportion to the population (and often the actual number when the general population is rapidly increasing) is lessening, the number of brothels is lessening while the number of clandestine prostitutes is more than correspondingly increasing ; and the evidence forthcoming from those cities also proves that this movement of decrease of registered prostitutes and of increase of clandestine prostitutes is being steadily accelerated. We cannot now discuss the causes of this acceleration, but we affirm it to be a fact. Now, recognising all the features and significance of this movement, M. Lefort and all who duly consider them see very clearly that the only chance of preventing the complete break-down of the system in question consists in compelling every prostitute to live under the immediate supervision of the police in houses licensed for that purpose. As this plan would forbid the existence of *filles isolées*, a

sharper line of demarcation could, it is imagined, then be drawn between recognised prostitutes and respectable women than is possible now ; all women proved to be practising fornication without the sanction of the legal bond of marriage would then be compelled either to enter one of the licensed houses or to abandon the practice—unless made skilful enough by experience to outwit the police on subsequent occasions ; as all recognised prostitutes would be restricted to those houses, they could of course be much more easily and much more effectually superintended than is possible by the existing continental system ; escape from police and sanitary control would be incomparably more difficult than it is now ; the women once under control would therefore be much more likely to remain so than is the case now, while fresh additions to them of girls newly captured would continuously be made ; and as the number of those added would be sure to exceed the number of those who would be allowed to withdraw themselves, the total number of the recognised and legalized prostitutes, instead of lessening as it does now, would steadily increase if the system were found to work as its projector expects.

Confessing the extreme difficulty—indeed, impossibility—of foreseeing all the effects which would be produced by the operation of such a system, we will, however, point out some additional effects which would certainly be caused by it. The illicit relations of the sexes being as far as possible placed beneath the iron hand of the chief of police, who would permit them only so long as proceeding under his supervision, all the effects which we have shown to proceed from what we have called the policy of forcible repression, would be produced in their most extreme and intensified form. The one relation of human beings to each other the very essence of which pre-eminently, and according to its genuineness, is spontaneity, is the sexual relation, and just in proportion as spontaneity seemingly constitutes a feature of that relation, even when it is a mercenary one, does it become attractive. It is this fact which, in our opinion, constitutes the cause why men so notoriously seek after clandestine prostitutes or women not registered as prostitutes, in cities where a system of sanitary surveillance obtains.* Therefore the plan we are now considering would produce an enormous increase of seduction and profligacy among classes, the women of which hitherto have generally been free from any imputation on their respectability and chastity. Many marriages would probably occur, as they formerly did in Berlin, simply in order to cloak secret prostitution ; and of course, notwithstanding the great army of policemen, thousands of young women, aided by their paramours, would find out methods of carrying on the same practice undetected. What a vast de-

velopment of the habit of evasion, deception, concealment, and recognised lying would ensue it is scarcely necessary to point out ; and in fact the conjoint influence of a vast institution of prostitutes recognised, legalized, and kept free from disease by the State for public use, and of the enormous spread of the practice of seduction and debauchery into circles where as yet they have but slight access, would at length so leaven the whole society with licentious ideas and practices that neither the present state of Paris nor even that of Rome itself suffices to exemplify in more than a very slight degree the terrible extent of sexual immorality and corruption which would inevitably prevail. We feel fully assured that such a system as that projected by M. Lefort would defeat its own purposes in every respect, and therefore, if tried, would either be speedily abandoned as a disastrous failure, or would so corrode all the strongest, the most precious and the most cherished bonds of social life, that the present form of society in respect to the relations of the sexes would disappear altogether.

Another plan, only less important because if practised it would be less baneful than M. Lefort's, deserves a passing notice, the plan, viz., of prohibiting prostitutes from appearing in the streets, and especially in the most public thoroughfares. The advocates of this plan are for the most part men who believe in the permanent necessity of prostitution, and at the same time who recognise the failure of the system of surveillance practised in continental cities, are anxious to keep the "necessary evil" out of sight ; so that while on the one hand inexperienced young men may be saved from preventible temptation, on the other, a cause of offence may be removed from the presence of "respectable people." We wholly disbelieve, however, in both the practicability and expediency of this plan. We question the power of any English Government, while English ideas of liberty are what they are, to forbid prostitutes to walk along the streets. Moreover, suppose the Government were empowered to do so by an Act of Parliament, who could supply a legal definition of a prostitute within the meaning of the Act ? Where shall we find our ideal policemen who could rightly apprehend that definition if supplied, and who could rightly apply it in determining what women should be allowed the privilege of passing along the streets, and what women should be refused it ? The truth is, the character of the women in question passes by such insensible gradations from that of the lowest common prostitute to that of the lady-like girl who, by the artistic taste displayed in her dress, and by her neat comely appearance and general deportment, excites the admiration of the passers by, that we defy any lawyer, however keen and subtle, to draw a line of demarcation which shall accurately define who are prostitutes

and who are not, or which shall even be only so approximatively accurate as to justify its adoption in an Act of Parliament, and to be capable of affording reliable guidance to the policemen to whom the application of the Act would have to be entrusted. But, indeed, experience, verified over and over again, demonstrates beyond the possibility of disproof, that this scheme is thoroughly impracticable. Long before the wide spread of syphilis caused the adoption of the sanitary supervision of prostitutes, and ever since, attempts have been made by different Governments to keep prostitutes out of the sight of "respectable people," by restricting them to certain unfashionable quarters of the city—quarters least frequented, therefore, by such people; but as we have shown by adducing in a former article a crowd of historical facts, such attempts from the Middle Ages until now have always proved abortive. If the advocates of this method would duly inform themselves of the facts easily accessible as the indispensable data for a wise decision concerning it before advancing, with the confidence of ignorance, their exploded nostrums, a great deal of time and labour might be saved. But perhaps, indeed, they would willingly exact the homage of vice to virtue rendered by *la marcheuse*, described in our previous article, who accompanies the prostitute during her walks in order to give her at least the semblance of respectability. In our opinion, however, the toleration of such systematic hypocrisy which tends to confound all outward distinctions between vice and virtue, is far more demoralizing than non-interference with those women who, trading in their own persons, at all events seem what they are. There is also another reason why we object to the measure described by its advocates as "sweeping the streets;" as we do not believe that prostitution will be perpetual, and as we consider it a disease of our social system urgently needing, and as certainly capable, of radical cure, we maintain that so long as it exists there could be no greater folly committed than that of suppressing its symptoms, and heedlessly leaving it to poison and corrupt the social organism more and more profoundly. It seems to us desirable and necessary that so long as the disease exists, its symptoms should obtrude themselves on the attention of all classes of society. Only by doing so will the nation be roused to apprehend the real magnitude of the malady, to hold a solemn inquisition into its causes, to insist on their removal at the cost of any radical reform, or even constitutional change that shall be shown to be indispensable for its accomplishment, and meanwhile to lessen as far as may be, by palliatives judiciously applied, those moral and physical evils inseparable from its existence.

Unhappily, as it seems to us, the English Government is now [Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. K K

proceeding in respect to this social malady, in a direction exactly opposite to that indicated by those principles which we are striving to inculcate, and the recognition of which we believe to be of vital importance to the community. The Contagious Diseases Acts, 1866 and 1869, which by all that we have said we have implicitly condemned already, may however be unknown to many of our readers: as they are said by their advocates to differ essentially in at least one point, which they maintain to be one of the first importance, from the system adopted in continental cities, as in being applied to English women they may be alleged to be working under conditions in some respects different from those on the Continent, and as for these reasons some special claim may be advanced for allowing these Acts a thorough trial, we think it expedient to describe them here, and to state as accurately as we are enabled to do by means of the Government reports, the amount of benefit which the soldiers in the places where the Acts are in operation have apparently derived from them. And by way of preface to this section of our subject, we will point out a remarkable fact deserving to be meditated on by Englishmen: England, we believe, presents the first example in modern Europe of a State which by its supreme legislative authority has recognised and tolerated prostitution, and which has undertaken to supply prostitutes, made free from disease at the public expense, for the use of any one who seeks them. In all other countries, so far as we know, the laws regulating the sanitary supervision of prostitutes have no higher sanction than that of the municipal authorities of the several towns where they are applied.

In 1864, the English Parliament signalized itself for the first time as the protector of men from the baneful physical consequences of their own profligacy, by enacting what was called "The Contagious Diseases Prevention Act, 1864." This was a merely tentative measure, and was wholly superseded by "The Contagious Diseases Act, 1866," which is entitled "An Act for the better Prevention of Contagious Diseases at certain Naval and Military Stations." This Act was amended, and, as we shall see, its application was greatly extended, by virtue of "An Act to amend the Contagious Diseases Act, 1866," which received the Royal Assent 11th August, 1869.

The immediate object of "The Contagious Diseases Acts" is to subordinate prostitutes consorted with by soldiers or sailors to the control of the police, and to such compulsory medical treatment and supervision as may prevent them from infecting those who resort to them with venereal disease. The ultimate object being avowedly to preserve the health of our soldiers and sailors, the Acts are mainly applied to localities where soldiers or sailors,

or both, more especially congregate. The places to which the Act of 1866 applied were:—Portsmouth, Plymouth and Devonport, Woolwich, Chatham, Sheerness, Aldershot, Windsor, Colchester, Shorncliffe, the Curragh, Cork, Queenstown, and the districts surrounding each of those places within a radius of about five miles. In the Act of 1869 the following places are added to those to which the Act of 1866 applied—viz., Canterbury, Dover, Gravesend, Maidstone, Southampton, Winchester, and the districts or parishes surrounding each of these places. Moreover, by the amended Act the areas around these several places which are subjected to it are far greater than were those around the places subject to the Act of 1866. By the Metropolitan Police Act, the metropolitan police have power over a radius of fifteen miles round any garrison, battery, or Government establishment, and the area of the Contagious Diseases Acts has been made conterminous with that of the Metropolitan Police Act. Thus eighteen districts, each about ninety miles in circumference—by no means inconsiderable parts of the United Kingdom—have already been quietly got under the control of “The Contagious Diseases Acts,” the people of England being carefully kept in ignorance meanwhile of what was being done! If we interpret this section of the Act rightly, the authorities have so contrived, that while the area of each district under control seems at first sight to be limited to a radius of fifteen miles from each centre, yet as the police are authorized to arrest women in places ten miles beyond the limits of each area, *the circumference of each region virtually under control, is, in fact, 150 miles.*

By these Acts the metropolitan police employed in each of the eighteen above-named districts, have virtually the power within these districts, *or within ten miles of the limits of them, as defined by the Act of 1869*, of designating any woman they choose as a common prostitute, and of causing her to be submitted to medical examination as such. The words of section 4 of the Act of 1869 are as follows:—“Where an information on oath is laid before a justice by a superintendent of police, charging to the effect that the informant has good cause to believe that a woman therein named is a common prostitute, and either is resident within the limits of any place to which this Act applies, *or being resident within ten miles of those limits, or having no settled place of abode*, has, within fourteen days before the laying of the information, either been within those limits for the purposes of prostitution, or, been outside of those limits for the purpose of prostitution in the company of men resident within those limits, the justice may, if he thinks fit, issue a notice thereof addressed to such

woman, which notice the superintendent of police shall cause to be served on her." Moreover, "Any woman who, on attending for examination, or being examined by the visiting surgeon, is found by him to be in such a condition that he cannot properly examine her, shall, if such surgeon has reasonable grounds for believing she is affected with a contagious disease, be liable to be detained in a certified hospital, subject and according to the provisions of the Contagious Diseases Acts, 1866 to 1869, until the visiting surgeon can properly examine her, so that she be not so detained for a period exceeding five days."*

When a woman has been constrained to submit herself to a medical introspection by a "Visiting Surgeon" or his assistant, and has been found free from disease, she is allowed to return home, but is ordered to present herself again for examination, "from time to time, as occasion requires," and is given a "Notice in writing of the times and places" at which she is to attend for that purpose. If, notwithstanding that she is found free from disease, she "temporarily absents herself in order to avoid submitting herself to such examination on any occasion on which she ought so to submit herself, or refuses or wilfully neglects to submit herself to such examination on any such occasion, then, and in every such case, such woman" is held "guilty of an offence against this Act, and on summary conviction" is "liable to imprisonment, with or without Hard Labour, in the case of a first offence for any term not exceeding one month, and in the case of a second, or any subsequent offence, for any term not exceeding three months." But if, on examination, "the woman examined is found to be affected with a contagious disease," she is at once "liable to be detained in a certified hospital," where she is, to all intents and purposes a prisoner, during the long period of nine months. The power of thus detaining her during any period not exceeding nine months "under one certificate," is exercised by the visiting surgeon or his assistant. After receiving from him "a certificate to the effect that she is affected with a contagious disease," and "naming the certified hospital in which she is to be placed," she may, "if she thinks fit, proceed to the certified hospital named in that certificate and place herself there for medical treatment; but if she neglects or refuses to do so, the Superintendent of Police, or a constable acting under his orders," is called upon to "apprehend her, and convey her with all practicable speed to that hospital." Moreover, just as prisoners are conveyed from one prison to another,

she may be conveyed, in the custody of the police, from one hospital to another: "The Inspector of certified hospitals may, if in any case it seem to him expedient, by order in writing, direct the transfer of any woman, detained in a certified hospital for medical treatment from that certified hospital to another named in the order." And, as a matter of fact, this is often done: women, for example, subjected at Aldershot to the Contagious Diseases Acts have frequently been drafted to the Lock Hospital in London. If any woman thus detained in a certified hospital "refuses or wilfully neglects while in the hospital to conform to the regulations thereof," she is liable to imprisonment and hard labour just as if she had refused to submit herself to examination; and if she "quits the hospital without being discharged therefrom by the chief medical officer thereof," she is not only liable to the punishment just mentioned, but "*may be taken into custody without warrant by any constable!*" Moreover, "if any woman is convicted of and imprisoned for the offence of quitting a hospital without being discharged, or of refusing or neglecting while in a hospital to conform to the regulations thereof," she is liable, after her return from the prison to the hospital, to be detained there the full nine months from the date of her return, just as if she had not been previously in the hospital at all. If any woman who has been detained the full term of nine months in a certified hospital, and who has then been discharged uncured, is afterwards found "in any place for the purpose of prostitution," she is liable to the same punishment as in the cases already mentioned.

There is one feature in the Act of 1869, and in our opinion the most odious of all, which forcibly exemplifies the well known truth that any despotic or irresponsible agency, once established, always tends to enlarge itself, to acquire more power, and become more and more tyrannical: in the Act of 1866 there is a clause empowering women to submit themselves voluntarily to medical treatment, the visiting surgeon of the district where they thus submitted themselves being obliged to treat them, and to discharge them when cured free from any legal obligation to return for subsequent medical examination. But now, by virtue of a clause in the Act of 1869, a woman who thus voluntarily submits herself to medical treatment, finds herself in exactly the same position as if she had been forcibly subjected to examination by order of a justice of the peace! "Such submission," it is ordained, "shall, for all the purposes of the Contagious Diseases Acts, 1866 to 1869, have the same effect as an order of a Justice subjecting a woman to examination; and all the provisions of the principal Act, respecting the

attendance of the woman for examination, and her absenting herself to avoid examination, and her refusing or wilfully neglecting to submit herself for examination, and the force of the order subjecting her to examination after imprisonment for such absence, refusal, or neglect, shall apply and be construed accordingly."

We have already mentioned that women are now liable to be detained nine months at a stretch in the hospital in which they may be placed, whereas by the Act of 1866 they could only be detained six months. This increase of despotic power over them is, of course, the product of the same spirit as that which has succeeded in subjecting those women who apply for medical treatment voluntarily to all the penal clauses contained in the Act of 1866. Another clause in the Act of 1869 giving increased power over the women still remains to be mentioned—viz., Clause 5. By virtue of this clause, the chances that a woman once brought under the control of the police as a prostitute will always remain a prostitute are immensely increased. This is the clause: "*Any order for subjecting a woman to periodical medical examination shall be in operation and enforceable as long as and whenever such woman is resident within ten miles of the limits of the place where the order was made*"—instead of within five miles, as prescribed by section 32 of the principal Act.

According to section 31 of the Act of 1866, any woman leaving a certified hospital cured, received a certificate from the visiting surgeon to the effect that she was then free from a contagious disease; and this certificate she retained and could show. But section 8 of the Act of 1869 ordains that, instead of the certificate being given to and kept by her, it "shall be delivered to the superintendent of police, and retained by him."

Within the limits to which these Acts apply, no woman who has been once "subjected, either on her own submission, or under the order of a justice, to a periodical medical examination under the principal Act," can ever free herself therefrom unless the superintendent of police appealed to in the case expresses himself satisfied that she has ceased to be a common prostitute. She may apply to a magistrate, or she may apply to the visiting surgeon for relief, but in either case her application is referred to the same superintendent of police: if she applies to a Justice she is confronted with the superintendent in the justice-room; if she applies to the visiting surgeon he is obliged to "cause a copy of such application to be delivered to the superintendent," and only when he reports himself satisfied that she has ceased to be a prostitute, has she a chance, while remaining within the limits to which the Acts apply, of escaping from his degrading and hateful control.

Reviewing the Acts of which we have now given a careful and, we believe, correct analysis, our readers will probably think with us that they are excessively oppressive, and more fitted for slaves than for English women. They certainly exemplify in a very striking form how, what Wilhelm von Humboldt called, "State Solicitude for the positive Welfare" of individuals—not those, however, to whom the Acts apply, but our soldiers and sailors, to whom they do not apply—has trodden down those safeguards of English liberty which, Englishmen are wont to boast, surround the poorest and even the most abject of women as well as men in this country. That these Acts are in themselves an evil, few Englishmen duly acquainted with them can doubt: whether they are an evil justifiably done "in order that good may come" is a question confidently answered in the affirmative by the members of the "Association for promoting the extension" of those Acts "to the civil population of the United Kingdom."

Though this Association is intent on extending these acts over the whole of the United Kingdom, the Acts themselves were avowedly introduced only on behalf of soldiers and sailors, whose health and strength were, it is alleged, gravely impaired by the ravages of venereal disease. But to whatever extent the Government may be justified in violating the personal freedom of the soldiers and sailors who are its servants in order to secure their physical efficiency, it has no right whatever on their behalf to invade the liberty of other persons, and when it does so it raises questions of the gravest kind, not only in respect to the persons immediately affected, but also in respect to the nature and security of liberty in general; and we are greatly mistaken if the Contagious Diseases Acts do not become the battle-ground on which the broad principles of English liberty will be fought for, if the Government should persist in maintaining those Acts, notwithstanding the national condemnation which is being clearly and emphatically pronounced upon them in the numerous petitions which each day are now being sent to Parliament in favour of their repeal. But let us descend for a moment to the point of view of the promoters of the Acts, and learn what is the amount of benefit actually derived or likely to be derived from them by English soldiers. •

The following Table shows the Admissions into Hospital per 1000 of Mean Strength for venereal diseases at the stations named for the four years 1865-68:—

STATIONS.	1865.	1866.	1867.	1868.	Date when Act commenced.
Devonport & Plymouth } mouth }	360	317	312	280	Oct. 10, 1866
Portsmouth	329	359	378	348	Oct. 8, 1866
Chatham and Sheerness } }	292	326	277	275	Nov. 6, 1866
Woolwich	201	219	255	191	Nov. 6, 1866
Aldershot	302	233	261	237	April 12, 1867

"It thus appears that while at Devonport and Plymouth the amount of venereal disease in 1867 was very slightly less—viz., 5 per 1000—than it was in 1866, and while at Chatham and Sheerness the ratio of admissions to hospital in 1867 was 49 per 1000 of the strength lower than in the preceding year, there was during 1867 a positive increase of disease at the other three stations mentioned. If the numerical results at the five stations be added together and an average struck, it will be seen that on the whole the average ratio per 1000 of admissions to hospital on account of venereal diseases in 1867 was 296·60, whereas in 1866 the average ratio per 1000 of admissions to hospital at the same stations was only 290·80. A comparison of 1868 with 1867 shows, however, that in 1868 there has been a slight decrease of disease at all the stations named in the table. It is worthy of remark here that Sheerness, which exhibited a considerable fall in the number of admissions during 1867, and which, being to a certain extent isolated, is held up as a convincing illustration that "success has everywhere been in proportion to the isolation of the protected district," is precisely the station where the least diminution of admissions to hospital is observable in 1868: there were only two less in that year than in 1867. The average ratio per 1000 of admissions to hospital at all the stations was, however, reduced to 266·20, or 24·60 per 1000 less than in 1866, and 28 per 1000 less than the average ratio per 1000 of admissions during the two years of 1865-6, before the Act was in force. In other words, about one-eleventh part of the total amount of disease previously existing seems to have been subdued by the operation of the Contagious Diseases Act. We say *seems* to have been subdued; for the fact is, venereal diseases were actually lessening at the stations in question before that Act came into force. The average ratio per 1000 of admissions into hospital during each year from 1860 to 1865 inclusive, is as follows:—

Average Ratio per 1000, of Admissions to Hospital.

Years	1860.	1861.	1862.	1863.	1864.	1865.
Ratio	421·20	408·60	361·40	363·40	296	297·40

It will be observed that in 1862 the ratio per 1000 of admissions to hospital was 37·20 less than it was in 1861, and that this diminution is 13 per 1000 greater than was the diminution in 1868, under the operation of the Contagious Diseases Act, as compared with the ratio per 1000 of admissions in 1866, the year before the first compulsory Act came into force. It is thus evident that the statistics relied upon by the advocates of the Contagious Diseases Act are worthless as an argument in its favour, and that had the diminution in 1868 been even greater than it is, experience would justify the ascription of it to causes quite independent of the operation of that Act.”*

Such are the only authentic facts from a consideration of which a correct opinion may at present be formed concerning the amount of benefit derived or derivable from the Contagious Diseases Acts by the soldiers in England. But a Contagious Diseases Act has also been established in Bengal, and a report of the results of its operation until the end of 1868, now before us, shows them to be anything but encouraging to its promoters. In 1867, the number of admissions per 1000 of the Bengal army into hospital on account of venereal disease was 166—a number considerably below the average of former years; but in 1868 the number of admissions per 1000 rose to 199. As the Commissioner says:—“The facts, perhaps, come out more clearly when the actual figures are stated. In 1867, out of 38,784 soldiers, 5764 were admitted from venereal disease, either in its primary or secondary form; whereas, in 1868, out of a strength of only 31,560 the admissions were no less than 6282.” And the report gives circumstantial proofs that causes precisely the same as those operative in European cities are producing results of a kind also precisely the same as those which, as we have shown in a former article, are invariably observable where the continental *police medicale* is applied. In other words, clandestine prostitution is extensively practised, and the number of women who are treated in the hospitals, which in Bengal are provided for the reception of those suffering from venereal disease, is astonishingly small compared with the number of those who, it is known, must be practising prostitution.

The promoters of the English Contagious Diseases Acts are constrained to admit that their results, as shown in the number of admissions to hospital of English soldiers suffering from venereal disease afford but a very feeble argument in favour of those Acts; nevertheless, they appeal to the effects of the continental system of sanitary supervision of prostitutes as shown

* *Pall Mall Gazette*, March 3, 1870. Reply to Miss Garrett, by Justina.

in the returns of admission to hospital of continental soldiers on account of those diseases, and affirm that the beneficial effects derived from the application of that system by continental armies is an argument completely decisive and incontrovertible in its favour. We have already shown what those effects are in the Dutch army, and we are glad to be able to assure our readers that the facts, in respect to the French army, when rightly ascertained and interpreted, really deal to that system one of the heaviest blows it has received. The very able statistician, Dr. Balfour, head of the statistical branch of the Army Medical Department, has shown that the methods according to which the army medical statistics of France and England are recorded differ so fundamentally, that they do not afford, with reference to admission to hospital, the data for a correct comparison. And we observe that the author of two instructive letters, signed "Justina," from one of which we have already quoted, has appreciated the difficulty which the different statistical methods of the two countries present to any one really anxious to learn the comparative amount of venereal disease in the French and English armies respectively. She has, we perceive, taken her facts from Dr. Balfour's carefully discriminative and excellent paper, published in the volume of *Army Medical Reports* for 1863, for she gives these reports as her authority; but we are rather surprised to note that she does not mention the year of the only volume in which the important information she has made use of is to be found. She has, however, used it so effectively, that we gladly avail ourselves still further of her language, in order to place before our readers the valuable facts which Dr. Balfour has, so far as we know, been the first to bring forward in this country.

"'In the British army a soldier, if unfit for duty by sickness, of however trifling a description, is taken into hospital for treatment; whereas, 'in the French army only the more severe cases are admitted into hospital. The slighter cases, including both forms of venereal disease, 'a large proportion of skin diseases, &c., are treated in the regimental infirmary and in quarters (*à la chambre*).' The French hospital into which the more severe cases of disease are received is not a regimental but a divisional establishment; and in the French statistical reports those diseases by which the admissions into the divisional hospital have been occasioned are alone enumerated, 'while no information is given as to those treated in the regimental infirmaries and in quarters,' or *à la chambre*. Both kinds, and all varieties of the disease in question, except that which is at the same time both constitutional and of serious character, are ordered to be treated '*dans les infirmeries régimentaires*.'

"Now, during 1867, of the troops serving in the United Kingdom, 11,293 were admitted into hospital suffering from venereal diseases comprised in the group consisting of constitutional affections and those of kindred nature, and 10,106 suffering from venereal diseases comprised in the group of the nonconstitutional kind; or, stated in another form, the admissions were 153·8 per 1000 of the former, and 137·7 per 1000 of the latter. Therefore, in order to approximate to a fair comparison between the French and English reports, the whole of the cases comprised in the last-mentioned group must be ignored; and not only all these, but also all the cases of uncomplicated constitutional disease comprised in the first group. And, as it is well known that these *uncomplicated* cases form much the largest proportion of the whole, it is reasonable to conclude that, were they deducted, the remainder of the admissions, *viz.*, those of soldiers suffering from grave and complicated forms of the disease, would not exceed the number of those admissions into the French divisional hospitals which are alone reported as cases of venereal disease in the French army. I frankly admit that, though the inference just expressed is fairly made and very probable, it is but an inference, and is incapable of incontrovertible proof by means of the facts I have already mentioned. But, however short of proof the conclusion now reached by means of those facts may be said to be, I am fortunately able to adduce facts of a different kind, which, in my opinion, render that conclusion absolutely unquestionable. Though no record is published of the number of cases treated in the regimental infirmaries and *à la chambre*, a complete one is kept of the number of French soldiers rendered non-effective by these diseases, whether they are treated in the divisional hospital, in the regimental infirmary, or *à la chambre*; and as a record is also kept of the number of English soldiers rendered non-effective by the same diseases, we possess in the records of these facts the elements of a just and reliable comparison, and I invite your especial attention to the instructive result. In the French army the average constantly non-effective from the diseases in question during 1862 was 28·6, or 11·11 per 1000 of those present, *i.e.* not on leave; while of the troops serving in the United Kingdom during the same year the average constantly non-effective from those diseases was only 8·44, or 10·82 per 1000. It is thus indubitably established that those diseases actually disable a greater proportion of French than English soldiers, and this truth, combined with those just previously mentioned, seems to me to demonstrate that the number of admissions of French soldiers for treatment on account of those diseases is at least as great as, and is probably greater than, the number of admissions of English soldiers on the same account. And this demonstration, is, if pos-

sible, rendered still more decisive by the fact that in the French army a large number of the men, amounting, on the average of the year, to nearly one-sixth of the strength, are always absent from the corps (*congé de convalescence, de semestre, permission, détention, &c.*) ; and as a large proportion of these men are invalids, many of them probably through venereal disease, and as they do not appear in the hospital reports, those reports appear still more favourable than they otherwise would do."

In our opinion a careful consideration of the evidence adduced in our previous article to prove the indirect influence of the *police médicale* in powerfully promoting the development of clandestine prostitution, can scarcely fail to produce the conviction that the French army must suffer from venereal diseases to at least as great an extent as that observable among English soldiers. For clandestine prostitutes being infected to a horrible degree by those diseases, necessarily cause them to spread far and wide ; and though many of the French soldiers may chiefly consort with registered prostitutes, many more do not, but seek the company of those who are not under sanitary control.

Apart from the benefit said to be derived in the shape of an improvement in the health of the army from the operation of the Contagious Diseases Acts, certain other beneficial results are adduced as arguments in their favour. It is said that while lessening the amount of disease suffered by prostitutes themselves, the application of the Acts improves their general condition, including their moral tone ; that it conduces to the repentance and moral recovery of many of them, who, it is alleged, withdraw altogether from the abandoned life they have pursued.

We cheerfully admit that English as well as continental women under control are rendered far more healthy than are those who, while exposed to venereal contamination, have little or no opportunity afforded them of receiving efficient medical aid ; but we maintain that all the advantages in respect to health which are secured by the compulsory system could be obtained by a voluntary one, and that while the former is open to the grave objection that it favours and indeed inevitably produces a vast amount of clandestine prostitution associated with a development of venereal disease, especially formidable both in extent and kind, the latter is open to no such objections, but, on the contrary, tends indirectly to render all women suffering from the diseases in question easily accessible to medical aid.

When it is considered that in all Christian countries prostitutes have been regarded and treated as among the lowest outcasts of the community, it cannot be surprising that the general condition—personal, social, and moral—of the prostitute is susceptible of great improvement by almost any method, even

though force be a distinctive element of it. If women of low type in every respect, who until now have been treated as such outcasts, are compelled to attend at frequent and regular intervals for medical examination, and if from time to time they are kept in a hospital where they are compelled to be cleanly, where they come in contact with educated men—the medical officers, and the chaplain—and where they have frequent conversations with the nurses, who no doubt are carefully selected on account of their respectability, such women can scarcely fail to be generally benefited to a certain extent by the influences thus surrounding them. But all experience of the working of the compulsory system demonstrates that the improvement of the women subject to it rarely rises above a certain low level, and that such improvement as is actually effected is mainly in respect to cleanliness, dress, language, and general conduct and demeanour. While, on the contrary, the operation of the system having resulted in raising them to the level in question, in respect to the qualities in question, not only presents an effectual bar to further progress, but tends to reduce the women of every social grade to one common denomination as recognised and registered prostitutes, in the moral tone of whom all the evils of legalized recognition, and therefore of virtual Governmental sanction, soon become apparent. In the numerous ranks insensibly merging into each other of women who sell themselves, many do so at the stern bidding of poverty and with reluctance of all degrees of intensity sometimes almost invincible, and these women gladly seize on such opportunities as present themselves of withdrawing from the life which they have been compelled to adopt, and of re-establishing themselves in respectable positions. But these spontaneous strivings after social and moral recovery, which though often futile are also often successful, are practically and powerfully discouraged on the Continent by the system of *police medicale* there, and will assuredly be so by the Contagious Diseases Acts here.

Of the various arguments in favour of these Acts, the one which is at once the most glaringly absurd, and the most easily refutable, is that which asserts that the Acts conduce in an especial degree to the social and moral recovery of the women who come beneath their influence. We have shown that wherever the system of police and sanitary inspection of prostitutes is applied on the Continent, precisely there the number of registered prostitutes always declines in proportion to the number of the general population, and not seldom declines absolutely. Already at the various stations in England where the Contagious Diseases Acts are applied this result is observable, and their advocates point to it as a striking proof that the amount of prosti-

tution itself is actually lessened by their operation, many of the women previously known to have been living as prostitutes having completely withdrawn from observation, and many others having changed the habits of their lives so as to justify the belief that they have abandoned the practice of prostitution altogether. Under any system, whether compulsory or voluntary, a considerable proportion of prostitutes do as a matter of fact yearly abandon prostitution and re-establish themselves in respectable spheres of life ; but it is well known to all who are really acquainted with the subject that the number of those women who thus permanently escape from the ranks of prostitution is vastly less than the number of those who merely escape from the supervision of the police, and cease to attend at the prescribed periodical intervals for medical examination ; and it is equally well known that the great majority of the women who do thus cease to attend merely seclude themselves in order to carry on their profession untroubled by the hateful espionage of the police on one hand, and the no less hateful medical inspections on the other. No trustworthy evidence has yet been adduced that any considerable number of English prostitutes have been really reformed by the influence of the Contagious Diseases Acts, and until such evidence is forthcoming we feel justified in maintaining that the women who are lost sight of in the districts where the Acts are in force, as well as those who have begun to conduct themselves in such a manner as to afford the police no pretext for insisting on their continued submission to the Acts, are simply practising clandestine prostitution just as the women on the Continent who absent themselves from sanitary control and baffle the efforts of the police to find them are well known to do. It seems to us probable that the zeal likely to animate the officers first entrusted with the working of the Contagious Diseases Acts will cause them to labour more assiduously and therefore more successfully for the moral reformation of the women with whom they come in contact than will be the case after the Acts have been some years in operation ; and we are therefore quite prepared to learn that a few women—a very small portion of the whole under control—are really reformed and induced to support themselves in a respectable manner. But whatever benefits of this kind accrue in connexion with the administration of the Acts are by no means consequences of them, but rather of the benevolent activity of the men who are administering them, and who add their own humanizing and elevating influences as co-operative agents with the compulsory force of the Acts themselves.

The promoters of these Acts have endeavoured to draw an important distinction between them and the continental system

of surveillance, much to the advantage, as they affirm, of the former. They say that whereas on the Continent each registered prostitute carries with her a card bearing the attestation of the examining surgeon that she has been duly examined at the prescribed periods—a fact which virtually attests her freedom from disease, no such certificate is given to the prostitute by the authority of the Contagious Diseases Acts, as a licence or a Government sanction to carry on her profession. And, indeed, many persons in favour of the Acts are strenuously opposed to the practice of giving such a certificate to each of the women themselves, on the ground stated by the Rev. Joseph G. Bailey, chaplain of St. Bartholomew's Hospital, Chatham, in his evidence before the Committee of the House of Lords, that "the certificate has been regarded as showing a clean bill of health, and they [the prostitutes] have immediately gone back to their old occupation again, and then had an increased number of visits from soldiers and others, in consequence of their having that certificate." Now, we beg to state that such a certificate could be demanded, and was given by authority of Parliament during the operation of the Contagious Diseases Act, until that authority was annulled by the amended Act of 1869, and for the reason contained in the evidence of the chaplain just quoted ; but although this change has now been made, we confess ourselves unable to discern any difference in the amount of Governmental recognition and sanction of prostitution, or in the moral character of such sanction, implied by giving to the prostitute herself a certificate that she is free from disease, and by giving it to the superintendent of police, who knows, so long as it is duly signed at the periods prescribed by Parliament, that she is held to be free from disease, and virtually licensed to pursue her vocation. Moreover, we cannot refrain from expressing our astonishment at the marvellous inconsistency which is displayed by the promoters of the Acts in respect to the certificate. On the one hand, they have induced the small number of Members of Parliament, who concurred in passing the amended Act, to do so on the ground that it is necessary to cure the venereal diseases of prostitutes in and around garrison towns, even against their will, in order that the soldiers who resort to them may do so safely ; and yet, on the other hand, the same Members of Parliament have been at the same time induced to forbid the administrators of the Act to give the women certificates that they had been examined and found free from disease, lest such certificates should be used by their holders to induce the soldiers to consort with them. We can only account for this strangely inconsistent procedure, by assuming that it is a sop intended to appease the rising anger of the

religious world ; for surely if on behalf of our Army and Navy it is deemed necessary to subject English women in the districts where the Acts apply to the odious despotism which they enforce, then to withhold at the same time from the soldiers and sailors the means of discriminating between those women who are physically dangerous, and those who are disinfected by authority of Parliament, and at the public expense, for the especial benefit of those men, is an example of hypocrisy peculiarly contemptible, and betokening in the most unmistakable manner how strongly it is felt by the promoters of the Contagious Diseases Acts, that if that sleepy beast, the British Lion, once really awakes to an appreciation of the true nature of those Acts, they will very quickly afterwards be effaced from the British statute-book altogether.

Having demonstrated, as we believe, that the Contagious Diseases Acts are sure to fail in reducing the aggregate amount of venereal disease in this country, even if they be extended completely over it, and having shown by the evidence of experience that wherever these Acts may be applied, they will produce social and moral evils of such enormous magnitude as to constitute an insuperable objection, not only to those Acts, but to any legislation embodying a principle in any degree akin to that which characterizes them, we shall point out in the following pages what we think may and ought to be done in order to reduce the amount of venereal disease now prevalent in the United Kingdom. We say emphatically *ought* to be done ; for nothing which has transpired since the publication of our article last July, on "Prostitution, in Relation to the National Health," has altered the opinion we then expressed, that venereal disease in this country is so widely prevalent, and so terribly destructive of the health and strength of the English people, as to render it urgently necessary that vigorous measures should be adopted to stay the insidious pestilence, the ravages of which are unceasing. At a meeting of the Medical Officers of Health, the chairman, Dr. Druitt, read extracts from that article, and characterized it as an example of "sensational literature ;" and in the *Medical Times and Gazette* it was adverted to (perhaps by the same gentleman ?) in a similar strain. But words do not alter facts ; and our simple reply to Dr. Druitt's criticism is that, whereas it was unsupported by any justificatory evidence, our article was a plain narrative of facts, not one of which he has contradicted. Those facts were carefully collected by a committee of medical men (members of the Harveian Society), of whom the present writer was one, and whose labours extended over several months ; and we confidently appeal to the judgment of persons qualified to judge in the matter, for a decision whether

the array of facts, and our inferences from them, do in reality exaggerate in any respect the evidence adduced, and the conclusions drawn from it by that committee. Moreover, the extent and significance of those facts were implicitly, but thoroughly, attested by Mr. Prescott Hewett, Mr. Paget, and Sir William Jenner, in the evidence which they gave before the Committee of the House of Lords ; and though we may question, as we do, the value of their opinions as to the expediency of adopting in England a system of sanitary supervision of prostitutes like to that of the Continent, seeing that each of them admitted his ignorance of the working of that system, their statements of facts—facts relating to diseases, the nature, extent, and effects of which they have become intimately acquainted with by long professional experience—can scarcely fail to command general respect, and to be relied upon as authoritative. We are therefore well content to be accused along with them and the committee of medical men just mentioned, of having made exaggerated and “sensational” statements concerning the amount and the effects of venereal disease in England. We are aware that Mr. Simon, the Medical Officer of the Privy Council, in his last annual report, has endeavoured to show that those statements are overcharged ; but our knowledge of the way in which the evidence on which he formed his judgment was specially collected for his purpose, compels us to regard it as comparatively valueless ; and our opinion on this point is shared by the *Lancet*, which devoted an article to an examination of the question. After all, however, the question is confessedly a difficult one, and different men, however well acquainted with the facts bearing upon it, and however anxious to arrive at the truth concerning it, are almost sure to differ about it to a considerable extent. Still, after allowing a very wide margin for such differences, there remains, and is expressly recognised by the great majority of competent medical authorities, such a vast amount of venereal disease in the country as to leave no doubt in the mind of all persons giving earnest attention to the subject, that it behoves the English people to devise and adopt such measures as may conduce most effectually to protect them from the subtle and deadly influence which, as we affirm, the Contagious Diseases Acts, while powerless to avert, will certainly intensify wherever they are applied.

The plea for those Acts, as already applied, is the necessity of protecting our Army and Navy from the disabling effects of venereal disease ; and we are strongly of opinion that it is the duty of the Government not only to secure the best public servants obtainable for the price paid, but also to take care that they shall be maintained in the best possible state of efficiency.

[Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. L L

Now, it is obvious that if their health becomes gravely and generally impaired by preventible diseases, it behoves the supreme administrators of the Army and Navy to make the utmost practicable efforts to prevent the spread of those diseases, and to shield our soldiers and sailors from their baneful influence. In pursuance of this object these administrators cannot be justly called upon to respect the individual freedom of each soldier and sailor as if he were a member of the civil community. When a man enlists, or enters the Royal Navy, he contracts to give his *personal* services to the State for a consideration; and though he may enter into no formal covenant to avoid doing anything which is likely to impair the value of his services, there is in his contract an implied obligation to that effect. For there can be no doubt that if being asked to consent that an obligation of that kind should form part of his formal contract, he refused to do so, his services would be declined altogether. It is clear, therefore, that contracting in the usual manner to give his personal services to the State for the consideration agreed upon, he does virtually covenant that he will do nothing likely to impair the value of those services, and that rightfully the State is entitled, and ought to enforce that covenant. Moreover, if by violating it the soldier or sailor contracts a disease which disables him from performing his duties, or even runs the risk of doing so, the Minister at War or the Admiralty, as the case may be, is bound to adopt such practicable measures respecting the soldier or sailor himself as may result in the speedy cure of that disease, or in preventing the threatened infection, even though those measures, if applied to a civilian, might be justly designated as a gross violation of his rightful individual liberty.

In the case supposed, numerous expedients might be appropriately resorted to by the Government in order to attain the object in view; and as we maintain that it is the imperative duty of the Government to exhaust every possible resource of this kind before it dares to enforce the application of its remedial measures to women who are not its servants, we invite attention to one of the most important of these expedients, which, in our opinion, ought to be systematically and rigorously practised—viz., periodical medical examinations of the soldiers themselves. These examinations were formerly practised universally in the Army;* but upon the recommendation of the Committee appointed to inquire into the Sanitary Condition of the Army, and presided over by Lord Herbert, they were discontinued ten years ago in almost every regiment.† As a matter of fact, the

* Select Committee of Contagious Diseases Act, 1866. Question 1357.

† Ibid, 1358.

evidence given to that Committee "induced the Director General to advise the Commander-in-Chief that it was desirable to test the plan of discontinuing them."* Indeed, commanding officers were entrusted with the discretionary power of causing those examinations to be either continued or suspended;† and as the duty of making them was disagreeable to the regimental surgeons, the commanding officers entrusted with the power of *testing* the plan of discontinuing the examinations used that power to discontinue them altogether. This result we think a very unfortunate one; for the fact that these examinations conduce very greatly to the health of the soldiers is thoroughly established by a large amount of evidence. The two regiments in which the practice has not been discontinued are the Coldstream and the Grenadier Guards. Moreover, according to a regulation which has been made at the particular request of the police, every regiment when it comes into camp, and every soldier when he returns from furlough, is now submitted to examination. The Surgeon-Major of the Coldstream Guards, Mr. John Wyatt, F.R.C.S., who was thoroughly examined, July 5, 1869, by the Committee of the House of Commons, has evidently a strong sense of duty in this matter, and that feeling has caused him to make "a great point of recommending," as he says, the necessity of these examinations "to successive commanding officers, and they have always adopted it." He adds, "I think it of the utmost importance. I have always considered it to be so." Every soldier of the two regiments mentioned, except the sergeants and married men, are thus examined—privately of course, and without "the slightest complaint" from the men.‡ The examinations are now made about once in ten days or a fortnight, and usually three or four men are found diseased; but "on one occasion," says Mr. Wyatt, "in one battalion, after an inspection had not taken place for some time, for some reason best known to the medical officer, an inspection was ordered, and either 25 or 30 men, I think, were found diseased." He adds,— "this examination facilitates the discovery of the primary disease, thus preventing the more serious consequences of secondary complications." The statements contained in the following question and answer strongly confirm his opinion :—

"Do you believe that the evidence we have had before us to the effect that a large number of soldiers escape the hospital and go about in a diseased condition is true; that is to say, they do not give themselves up, and are either privately treated or go about concealing their disease?—I should think it quite possible, if there were no in-

* Select Committee of Contagious Diseases Act, 1866. Question 1359.

† Ibid., 1360.

‡ Ibid., 1311-12-14 18-24.

spectations, because it is a common thing for men to try to conceal their disease. I find that the men report themselves only on the morning of the inspection, and they do so then because if detected with disease at the inspection they are punished; but they think if they report themselves on the morning of the inspection they would escape punishment. The man has evaded reporting himself to the last possible moment, although he may have had the disease from the last inspection.* . . . They dislike reporting themselves sick of this disease, because, of course, they pay their 10*d.* a day (the ordinary hospital stoppage) while they are in the hospital.”†

The importance of these examinations is forcibly shown in the following conversation between one of the Committee—Dr. Brewer—and Surgeon-Major Wyatt:—

“Will the length of the disease be increased by non-examination? The length of cure.—The length of the disease is increased by allowing them to remain unexamined, is it not? Certainly.—And will not the increased length of the disease increase the period of inefficiency of the soldier? Certainly.—And the amount of inefficiency? Yes, I think their vital powers are diminished; it must be so.—Will the loss of time be increased? Yes.—Will that throw a greater amount of labour upon the other soldiers in the regiment? Certainly.”‡

According to the evidence of Dr. J. C. Barr, of Aldershot, there are many diseased soldiers at large in the Camp there. He says:—“From the reports of the police and others, and from the reports of the prostitutes under my charge, I think that there can be very little doubt indeed that there are a good many. The inspector of police considers that there are more diseased soldiers loose than there are absolutely in the hospital. Of course, one really has proofs of it.” He states that two young women, whom he had discharged from the hospital free from disease, returned at the end of ten days for examination, and that he “was forced to detain them both again with recent contagious sores.” He says:—“Similar instances are common enough;” and adds—“If I send women out of my hospital perfectly cured and free from disease, and they come back again to me diseased, they must have received contamination from some parties, and soldiers are nearly the only persons with whom they have connexion; if a diseased man is in hospital, of course he cannot infect women.”§ This evidence is corroborated by that of Inspector Smith, who obtained information “that in one of the four chemists’ shops in Aldershot there were 98 cases in one week (of soldiers) treated for venereal disease by the chemist.”|| These facts are decisive proofs that a system of regular and

* Select Committee of Contagious Diseases Act, 1866. Question 1331.

† Ibid., 1343. ‡ Ibid., 1401-6. § Ibid., 609. || Ibid., 1009.

rigorous periodical examination of every regiment is a prime necessity, and the beneficial results of such an examination could scarcely be shown more strikingly than by the following fact, also adduced by Dr. Barr :—" Out of one regiment, which is said to have come up from Devonport to Aldershot, on examination it was found necessary to detain sixty men the first week in hospital. The number of men having venereal disease "is reduced now to about nine in the whole of that particular regiment."* We are glad to find that Dr. Barr, whose large experience entitles his opinion to great respect, speaks out on this important matter in no faltering tones. He says :—" The first and most obvious measure to be adopted is the practical application of periodical examination to the whole body of troops resident in this district and at other stations. This should be conducted strictly and carefully, without exception, and be of sufficiently frequent occurrence." He advises that there should be "one a week," and in some cases "even oftener than this."†

Dr. Strohl, in his very instructive "Bird's-eye View of Prostitution at Strasbourg," says, speaking of the soldiers :—

"Formerly all the venereal patients passed from the hospital to the police station (*la salle de police*) ; the consequence was that they concealed their maladies as much as possible, got their comrades to treat them, and thus propagated syphilis during a long time. Now, punishment is reserved only for those patients who do not at once declare themselves diseased. This measure, though decidedly favourable to the diminution of this affection, does not completely attain its object ; the carelessness of the soldiers, their aversion to the hospital, and the fear of incurring the displeasure of their superiors, make many of them try to avoid treatment at the infirmary or at the hospital. Those who declare themselves diseased are bound to indicate the house [where they became infected], and the name of the girls who have given them the disease ; when they are detected in not doing so they are punished. It was believed that by this means they would be prevented from seeking out clandestine prostitutes (*les femmes insoumises*) ; but the plan proves useless There is only one practicable measure which we believe efficacious : it is the multiplication of sanitary examinations of the regiments, extended even to the subordinate officers. The diseases of the men could not then become inveterate, and their extension would certainly lessen. All the soldiers, especially those who return after being detached on service, or away on leave, ought to be submitted to a rigorous examination. These measures are prescribed, but they are not everywhere punctually executed."

Indeed, these systematic examinations of the soldiers are imperatively needed for the sake of the women themselves : great

* Select Committee of Contagious Diseases Act, 1866. Questions, 611, 1135.

† *Ibid.*, 617.

efforts are made to protect the soldiers from infection by the women ; but the idea of protecting the women from infection by the soldiers—though a much more practicable idea—is scarcely entertained at all. It has, however, been suggested by indubitable facts observed in Paris, and described by Duchatelet ; and facts of a like kind have, as we have shown, been observed at Aldershot, and are known to abound elsewhere. Duchatelet says :—“ During several years it has been constantly recognised that each time there has been a considerable movement in the garrison of Paris the number of venereal diseases among the lowest class of registered prostitutes subject to sanitary superintendence has instantly risen. This peculiarity especially struck Coutanceau.” Moreover, one in every three of those women of the class sought after by the soldiers, and not under sanitary surveillance, when arrested and examined, is found diseased. These facts caused the Prefect of Police to concert with the Minister of War, and a decree was issued that all the troops of the garrison should be scrupulously examined once a week . . . and that every soldier found, or suspected of being diseased, should be instantly consigned and conducted to the hospital ; that each soldier of every corps ordered to Paris should be examined before entering it, and those found diseased also conducted to the hospital ; and that soldiers travelling separately as well as recruits unattended by medical officers should also be examined within twenty-four hours of their arrival at Paris.” Duchatelet, after giving further particulars of this decree, observes in a melancholy strain :—“ The ordinance indicating all these wise measures was executed ; but how long was it executed ? This I cannot tell. It had the fate of the greater part of good institutions which cannot sustain themselves, when they trouble and annoy those persons whom they concern, and on whose behalf active and incessant authoritative intervention is urgently necessary.”

In fact, both the soldier and the surgeon to whom the care of his health is entrusted are alike interested, though for different reasons, in effecting the discontinuance of a practice, which reveals the reckless licentiousness of the one, and which imposes a repulsive duty on the other. But surely, the desire evinced by both to avoid the examination in question is no justification of doing so, while their neglect has to be atoned for by the forcible examination and detention of otherwise free women, who in many cases might escape infection if that examination were duly performed. Mr. Wyatt was asked (1835) — “ Do you believe that it would be disagreeable to the military medical profession to conduct these examinations ? ” His answer appears to us eminently judicious and correct. He said :—

"I look upon it as a most important duty of a medical officer. I do not recognise the idea of the thing being disagreeable as an objection. I think if a medical man comes into the Army, and it is necessary for the well-being of the soldier that these examinations should take place, like many other things, for instance, like attending the corporal punishment of soldiers when it existed, it would form a necessary part of his duty. I have never recognised any feeling of the kind."

Lieutenant-General the Right Hon. Sir Henry Storks, who took great interest in the efforts to lessen the amount of venereal disease in Malta, and in the Ionian Islands when he was Lord High Commissioner there, gave convincing evidence before the Committee of the House of Lords of the great benefit derived from the systematic examination of the soldiers; and after expressing his belief that "it was abandoned at the suggestion, or at the request of the medical officers," said, "but I look upon it as a matter of duty and a matter of discipline."

The Belgian soldiers are all submitted to a rigorous inspection every week, and it is mainly to this inspection that we ascribe the fact that they are much freer from venereal diseases than are the French soldiers. In both countries prostitutes are subject to careful sanitary surveillance, and yet, whereas the French soldiers are disabled by those diseases to as great an extent as the English are, the Belgian soldiers are admitted to hospital on account of these diseases at the yearly rate of only 90 per 1000. In England the rate of admission during 1868 for the same cause was 266 per 1000.

The Deputy Inspector of Military Hospitals, and head of the statistical branch of the Army Medical Board, Dr. T. G. Balfour, objects to the re-introduction of periodical examinations, because he thinks "they would tend to destroy the men's self-respect." If so, what is likely to be the effect of the periodical examinations on the women with whom those men consort? We should be very glad to see an end to the necessity of adopting any compulsory measures in order to save the soldiers from the effects of their own folly, and we quite agree with Dr. Balfour in thinking such examinations degrading; but promiscuous intercourse with prostitutes is also degrading; and if men will indulge in it, and if it is necessary, on their behalf, to institute periodical examinations in order to detect and lessen the amount of disease which such intercourse is the means of spreading, surely the men who are to benefit by them, and over whom the Government, for a consideration, has acquired personal control, ought to be the first to be submitted to them! But though it is confessedly far more easy to detect disease in men than it is in women, though the direct object of examinations is the preservation of the health

of the soldiers—regard for the health of the women being mainly on their account, and though the soldiers are rightfully under the personal control of the Government, whereas the women have not voluntarily surrendered their personal liberty at all, yet, by a strange perversity of judgment, the self-respect of the women has been ruthlessly disregarded, and they are forcibly submitted to a repulsive examination, the soldiers being allowed to escape meanwhile ! In short, the self-respect of the woman is sacrificed in order that the self-respect of the men may be saved—a kind of justice which, unhappily, has been meted out to women throughout all the ages during which men have exercised their dominant power. By all means let us avoid the compulsory examination of self-respecting and virtuous soldiers as a hateful method of detecting the diseases of those who are not so, and let us screen all of them from the shame incident to its practice as soon as ever any other method possessing the efficacy without the repulsiveness and disgrace of this one can be devised ; but, until then, we demand as an act of expediency and of justice the enforcement of a systematic periodical examination of our soldiers, not only on their own behalf, but also on behalf of the women, whom they but too often infect, and who for their sake are already forcibly submitted to that odious ordeal.

From the time when syphilis appeared as a terrible epidemic, spreading itself over Europe at the close of the fifteenth century, until the present date, the character of the treatment of patients suffering from venereal diseases and needing gratuitous medical care has been almost wholly determined by certain theological conceptions. In Christian countries men have dared to assume that in respect to the sexual relation, they know “God’s Will :” declaring their own, they have called it His, and have thus invested it with a supernatural sanction. Any aberrations from the mode of that relation which they have prescribed they denounce as “sin” ; and, in the treatment of “sinners” in matters sexual, they have arrogated to themselves the prerogatives of God’s vicegerents on earth. Declaring that in the eye of God fornication is a deadly sin, they have further declared that venereal diseases are a Divine punishment ordained for the sinner, and therefore that to attempt to lessen that punishment by alleviating the sufferings of those afflicted with those diseases, would be directly contravening a Divine decree. The special history of the practical application of this theological idea may be traced intimately interwoven with the general history of every Christian nation. Although the epidemic above mentioned produced such consternation in Paris as to cause in 1497 the issue of a decree enjoining all strangers infected with syphilis to leave the city for

their own countries, all respectable inhabitants of Paris to keep themselves within their houses, and all of the poorer class to withdraw into an establishment about to be built for the purpose, more than a century elapsed before any hospital accommodation in the "centre of civilization" was provided for these unfortunate beings. Even then incredible difficulties were encountered when they attempted to get admission into the Hôtel Dieu, and from 1614, when to a very limited extent such admission was accorded, until the beginning of the eighteenth century, every patient admitted, whether male or female, was severely flogged both on entering and leaving the hospital. Throughout this long period it was almost impossible for women to obtain gratuitous treatment at all. La Salpêtrière was appropriated as a prison for the reception of women convicted of abandoning themselves to public and scandalous prostitution, and was used for this purpose as early as 1658; but no special provision for the treatment of prostitutes affected with venereal disease was made until 1683, when, in face of all the rules, a room in this prison was "accorded furtively" for the purpose. And although they knew they were about to be confined in a prison and to undergo a *severe* flogging when entering and leaving it, prostitutes not practising mendicancy nevertheless frequently caused themselves to be arrested as beggars in order to be sent to the Salpêtrière, the sole place in which they could then obtain medical treatment.

As the idea of venereal disease is intimately associated with that of the "sin" of fornication, everyone afflicted with that disease has long been liable to be treated as a social outcast, and to be denied that medical help accorded to sufferers from other diseases; and, as a matter of fact, women and even children suffering from venereal disease communicated to them either directly, without any fault of their own, or even by hereditary transmission, were practically confounded together with the most dissolute of both sexes, as deserving only of the same common repulsion, as well as denial of medical aid. Indeed, as Duchatelet says, "the inhumanity, not to say the barbarity, was formerly carried to such a point that infants born of infected mothers, and themselves infected, were expelled from the hospitals, and that the Procureur-Général was obliged to interpose his authority in order to prevent a continuance of the heartless practice. And, singular anomaly (!), it was the guardians of the public health, the managers of the hospitals, who exemplified this false manner of looking at things: they would have believed themselves dishonouring the establishments which they governed if they had admitted a syphilitic patient, and, in their own estimation, would have dishonoured themselves if they had helped to lessen the sufferings of the victim of a disease alleged to be a direct visi-

tation of God. Let us beware, however, of reprobating them too strongly," continues this truly benevolent man, "since at the present time in many of our provinces it is customary to refuse medical aid to syphilitic patients of either sex, and yet we live in the nineteenth century!"

The feeling and practice thus slightly sketched as having prevailed and as still prevalent in France, have their complete counterpart, as our readers well know, in this country. In the last number of this Review we showed that, as a rule, the hospitals, both in London and the provinces, refuse to admit patients suffering from venereal diseases; and it is worthy of remark that precisely those hospitals which are chiefly supported by voluntary subscriptions, and the administration of which is therefore under the influence of that section of public opinion represented by their subscribers, most systematically exclude the class of patients in question. It must also be remarked, however, that such patients when of that sex, the members of which mainly form public opinion, do gain admission, to a certain extent, into even those hospitals; but women and girls who may have been contaminated by those very men are still refused admittance, and the large numbers of prostitutes in the metropolis and provincial towns are still left to suffer all the horrible consequences of constitutional contamination with a foul poison, without remedy or relief of that effectual kind which can alone be given when the patient is received into a hospital.

The physical consequences of the theological *régime* we have indicated, which, when practised most consistently and rigorously in respect to prostitutes, we have designated as "the policy of repression," and which, when neutralized, as in England hitherto by irrepressible feelings of personal liberty, or by other causes, lapses into what we have called the policy of indifference and *laissez-faire*—consist of that vast amount of venereal disease which prevails in Europe, and which we endeavoured to depict as accurately as we could in our number for last July. The great magnitude and continuance of the evil have produced a resolute reaction in the minds of statesmen and sanitary reformers in almost every European country against that *régime* in so far as prostitution is concerned, and in many cases against the doctrine itself which that *régime* embodies. These men, who are earnestly intent in promoting according to their light the work of social melioration, say in effect by their proposals and practice that the theological prescription has been fully tried and has been found to conduce to the development and spread of a horrible disease on an enormous scale, and therefore they now advocate the application of a method which is based on ideas exactly opposite to those which dictated the prescription in

question, which in fact recognises prostitution as an essential element of human society, and the logical application of which involves the adoption by the State of such measures as may enable promiscuous fornication to be freely practised without danger to those who indulge in it.

We have endeavoured to show in our last January number as well as in the preceding pages, that such practical recognition and governmental regulation as is here implied and as is completely exemplified in the Contagious Diseases Acts will, if extended over and continued in our country, prove one of the greatest evils that has ever befallen it. Holding this opinion, we have striven to justify it by the mass of evidence and the various arguments already adduced, and as we believe that the conviction prevalent on the Continent and now widely entertained in this country of the necessity of such governmental recognition and regulation is, *by way of reaction*, a direct outgrowth of the theological principle and practice just adverted to, we also believe that the only true remedy for the evil in question consists in an abandonment of that principle, and in a complete reversal of the practice founded upon it. The English people must recognise the indispensable necessity of rooting out their theological pride which has puffed them up with the vain and exceedingly baneful imagination that they are acquainted with the Divine Will, not only with respect to the relation of the sexes, but also with respect to the origin and purpose of those diseases commonly associated with the practice of prostitution: they must learn and exemplify intellectual humility; they must cease to mislead themselves and others with the delusion that they are acquainted with the intentions of the Supreme Being, and that they know the thoughts of the Unknowable—of Him whose thoughts are not as our thoughts, and whose ways are not our ways. But while recognising their utter incapacity of fathoming and interpreting the Divine Will, or of forming any valid judgment concerning certain dogmas ascribed to Christ, they may all comprehend and imitate the actions of Christ's life. When this urgently needed reform is accomplished there will be a complete change in public opinion, feeling, and practice, in respect to the thousands of diseased and suffering Magdalens constituting the great social evil of civilized life, and in dealing with them it will then be possible to try the effect of applying the Christianity of Christ himself. He who erected that marvellous standard of physical purity contained in the declaration, "Whosoever looketh on a woman to lust after her hath committed adultery with her already in his heart," not only answered the accusers of the woman taken in adultery in the words, "He that is without sin among you, let him cast

the first stone at her," and said to the woman, "Neither do I condemn thee: go, and sin no more;" but while suffering "a woman in the city, which was a sinner," to wash his feet with tears and to wipe them with the hair of her head, he assured her of both his sympathy and his forgiveness, and at the same time rebuked the Pharisee who was scandalized by his compassionate condescension. Surely the significance to Christians of this noble teaching by example is unmistakeable! And that lesson once duly learnt will show to all, whether Christians or not, how they may co-operate for the accomplishment of that great work which has long needed to be done—the immediate prevention or great diminution of the diseases from which prostitutes suffer, and the gradual but sure abolition of prostitution itself. Insisting on the necessity of those preliminary changes just indicated in the thought and feeling of the community, and supposing them to become effected, we shall now point out the direction in which we believe social reformers, and indeed all earnest Christians, ought to proceed in order to achieve the first of the two objects mentioned—viz., the prevention or great diminution of the diseases from which prostitutes suffer.

Stated in the form of a general principle the lesson is indeed very simple, and, as we have seen, was admirably exemplified by Christ, who, while he pointed on the one hand to a lofty ideal of sexual purity which may always be the object of human aspiration, showed on the other that in our dealing with our fellow creatures we must ever remember that we are none of us "without sin," and that even those who have reached the greatest depths of moral degradation have a claim on our compassion and our help. No doubt the right application of this principle amid all the various and ever-varying circumstances of actual life needs much wisdom and experience; but those who are faithful to that principle can scarcely go far wrong; and the duty lying nearest to them, the one most urgently needing to be done, is exceedingly plain—viz., that of assuaging the physical sufferings of many thousands of outcast women in England, who are mutely appealing for genuine help while shrinking in horror from the invitation of policemen to enter the hospital-prisons which the Government is now providing.

As the wide spread of disease which we now deplore is due to the fact that, with a few insignificant exceptions, these unfortunate women have been, and for the most part still are refused admission into hospital when pervaded by disease, it is obvious that the first step to be taken in order to lessen this great evil is to provide an abundance of hospital accommodation for these women. And in the first instance the doors of all

general hospitals should be thrown wide open to them, and if existing hospitals are not large enough, as they certainly are not to accommodate all who would seek admittance, they should be enlarged. We say "the doors of all general hospitals should be thrown open to them," because if the reform we have suggested is to be really and truly carried out, every vestige of the principle and feeling denoted by the "scarlet letter" must be effaced from our dealing with the women whose diseases we desire to heal. The custom of setting a mark upon them, of branding them as degraded beings, must be wholly abandoned : we must show them that we really respect and care for them for their own sakes, and thus induce them to respect themselves. Now the establishment of special hospitals for their reception is an expression of the old spirit which must be ignored : the very fact of going to one of those hospitals is itself a brand which in many cases would be productive of unspeakable social injury, and which in nearly all cases is a severe trial to the patient, and one to which it is inexpedient to expose her. We have seen that it is absolutely necessary to induce the women to enter the hospitals, and we have seen that the continental system, reproduced here as the Contagious Diseases Acts, fails to subject more than a small fraction of the whole of diseased prostitutes to sanitary influences, and now nothing indeed is left for us but to practise the principle already explained by relying entirely on the almighty power of kindness. But to do this implies among other things the abandonment of all arrangements which had their origin in the old spirit we have described, and special or lock hospitals originated in that spirit.

But it is objected, the voluntary system has been tried and has proved a total failure. The Contagious Diseases Act, 1864, was an effort to carry out the voluntary hospital scheme without compulsory inspection or compulsory detention, and failed so completely, that its promoters felt obliged to ask for compulsory powers in 1866. Without those powers it is impossible to induce the women either to enter the hospitals in sufficient numbers, or to stay in them sufficiently long, to insure the fulfilment of the object intended. Our reply to this objection is that the administrators of the Contagious Diseases Act, 1864, had no adequate opportunity of trying the experiment : that Act applied to but a few places ; adequate hospital accommodation in those places was not obtainable ; and the Act gave no power to erect hospitals with which to make the experiment. But if there had been sufficient hospital accommodation, the short period which elapsed between the date of that Act and its supersession by the Act of 1866 was wholly insufficient for the fair trial of any experiment of the kind in question. More-

over, we are inclined to believe that if the promoters of the Act of 1866 were to state the exact facts of the matter, we should learn that from the very first they designed to have an Act conferring compulsory powers, and that having got in the thin end of the wedge in the shape of the Act of 1864, they had no intention of waiting to see if, before driving it home, a voluntary system could be made to produce satisfactory results. But whatever may have been the method of applying the Act of 1864, and the kind of experience acquired while applying it during the short period which intervened before the compulsory system was put in force, no evidence has yet been adduced that the voluntary system has proved a failure, and the *onus probandi* of its failure certainly lies with those who assert that it has failed. We freely admit that the amount of experience which may be appealed to for decision of the question is as yet very small, but we are strongly of opinion that so far as experiments have been tried they give powerful support to our conviction that if the system were thoroughly and heartily tried it would be attended with complete success.

If there is one truth more indisputably established than another by the large experience of men engaged in administering regulations concerning prostitutes, it is this—viz., that they are preeminently amenable to the influence of kindness. M. Renoult, who was physician to the French army in Egypt, stated in 1817, in a note addressed to the prefect of police of that time, "that by means of kindness and persuasion he had induced certain women of the middle class (*bourgeoises*) and frequenters of 'maisons de passe,' to come to him for medical examination from time to time as agreed upon between them and him. This class of women," he added, "is, or at least affects to be, deeply touched by, and readily responsive to, genuine kindness : being treated as respectable women would wish to be treated, they willingly complied with all his medical directions."* Even in working the compulsory system in England it has been found necessary to supplement it very largely with the element of kindness. In his evidence given before the Committee of the House of Lords, the superintendent of police who was charged with the arrangements connected with the Contagious Diseases Act, said : "We enjoin upon them [the policemen] specially, forbearance and kindness" (127). "It would seem," he was asked by the Earl of Devon, "would it not, that the great difference between the continental system and ours, according to your evidence, is, that the system of kindness and good treatment at the hospital has made ours a voluntary system of protection to a great extent, whereas on the

* *Duchatelet*, ii. 641.

continental system it is a matter of coercion ?"—"Your Lordship has rightly described what I consider the effect of this legislation : it has been especially a law of kindness to the women, and is much appreciated" (206). "You cannot give any opinion, can you, as to the comparative merits of that law of kindness, and the coercive system on the continent ?"—"I think the coercive system would bring us to a standstill very soon" (207). It must be borne in mind, of course, that this witness was called to prove the excellent effects of the Contagious Diseases Act, and therefore that his evidence must be taken with due discrimination ; but the fact that the Contagious Diseases Act of 1864 conferred no compulsory power, and was therefore worked as a voluntary system, justifies us in attaching considerable value to the evidence just cited. Mr. James Paget, F.R.S., surgeon to St. Bartholomew's Hospital, when asked, "Do you think women generally of that class would voluntarily enter the hospitals if there were lock hospitals established in every locality ?" replied, "I think they generally would : the lowest of them certainly would, and the lowest are, on the whole, the greatest propagators of the disease" (677). Now, if Mr. Paget is correct in asserting that the lowest of them would voluntarily enter even lock hospitals, then *a fortiori* they would willingly enter general hospitals without any need of compulsion. And we may add that this opinion has been expressed to us very decisively by another surgeon of St. Bartholomew's Hospital, Mr. Holmes Coote ; and on the point in question the opinion of each of these distinguished men has special value, for in that hospital a considerable number of prostitutes are admitted for treatment, and therefore the long experience at that institution of the eminent surgeons just named enables them to speak with authority.

That the voluntary system will work well is attested by experience of it in two places, at all events—viz., Dumfries and Winchester, concerning which we are enabled to state the following important facts :—In a report, published in 1826 "of the state of the Dumfries and Galloway Royal Infirmary for the fiftieth year," we find that during that year twenty-six in-patients were treated for venereal disease ; and we learn, through the kindness of Dr. William Scott, one of the officers of the institution, that sufferers of both sexes from those diseases have, ever since that date, perhaps before it, been always freely admitted for treatment. The success of the voluntary system carried on in a general hospital can scarcely be greater than that which has been obtained by the Dumfries and Galloway Infirmary, which confers its benefits on the poor of a community numbering about 17,000 persons. Venereal diseases in that community have so greatly lessened, that, as Dr. Scott has informed us, "not one

in ten apply for admission who did so twenty years ago." He says :—

"I have consulted my colleagues, and they agree with me in this statement. I must add as the experience of my colleagues and self, that we do not see the same severe cases we used to see formerly. In regard to the disease we call Sibbens, it was at one time supposed to be peculiar to this district in particular; we now see very little of it. It is a disease that is easily spread by using the same spoon, &c., at meals, and accordingly, in the harvest time, when a large number of extra labourers were employed, we often found a whole district affected; but now we rarely see it in the aggravated form in which we knew the disease of old. I have to state, in conclusion, that there is no dispensary in town except the one attached to the Infirmary, and I am of opinion that if disease existed we must have it before us."

The evidence of the same kind which we have to offer in respect to Winchester is contained in a remarkable and very valuable pamphlet written in 1839 by Charles Mayo, Esq., who was at that time senior surgeon of the County Hospital at Winchester.* The Winchester Hospital was opened in 1736; and in the sermon preached at its opening by Dr. Alured Clarke, prebendary of Winchester Cathedral, he expressed himself as follows :—"They who are in present extremities are the more peculiar objects of the care of these charitable foundations, and ought *always* to be considered as such; nor should any inquiry be made *how* they come into such unhappy circumstances, but what is the speediest and most effectual manner of delivering them out of their distress." If this principle had been systematically and rigorously acted on throughout England during the last century, we should not now have to deplore the existence of the large amount of venereal disease at present affecting our people, or to contend against the Contagious Diseases Acts, which, like a terrible Nemesis, are threatening to punish the whole country for its short-comings, by extending completely over it their morally and physically degenerative influence. At Winchester the wise principle laid down by Dr. Clarke guided the managers of the hospital for nearly a century, and the result was expressed, in 1839, by Mr. Mayo as follows :—

"Ten years ago, one-sixth part of the beds were placed in the lower wards; and the annual average of venereal patients was a thirteenth. Two hundred more in-patients are now annually admitted than at that time; yet the accommodation for venereal cases is not more than

* Although Mr. Mayo is now upwards of 80 years of age, he still takes a lively interest in the subject discussed in his pamphlet, and has placed us under great obligations to him by his full reply to our inquiries, and especially by intrusting to us his only copy of his pamphlet, now long out of print.

one-eighth, and the average of their admission not more than one-fifteenth—showing that this disease has considerably diminished, and that the relief afforded to general cases has been increased in a tenfold degree. This ought to satisfy the apprehensions of the most ascetic devotee that our system has not worked badly ; and that if, as some would say, a bonus has been held out for the increase and encouragement of vice, it has totally failed."

In fact, though it was found necessary in the first instance to allot twelve beds for the use of venereal patients, the effect of freely receiving and treating such patients in the hospital was gradually to reduce venereal disease in and around Winchester to such an extent that, in 1839, eight beds sufficed for the reception of all patients suffering from that disease, notwithstanding the fact that during the previous ten years the population of the county had so increased as to cause an increase in the admissions to the hospital of sufferers from other diseases to the extent of two hundred annually.

The great primary requisite for lessening the venereal disease, not only of prostitutes but also of soldiers and of the general population, is a sufficient number of beds in hospitals in which all sufferers from those diseases, prostitutes included, may be received for treatment. If only the beds are provided, and the patients—especially the women—are encouraged to occupy them, those diseases will soon be so generally and so greatly lessened, that even those sanitary reformers who are now the most zealous advocates of compulsion, will be constrained to admit that it is wholly unnecessary, and that not only may it be safely abandoned, but that the sooner it is completely abandoned the better. Whatever real benefit has been derived from the Contagious Diseases Acts has been due not to the compulsory clauses in them, but to the fact that, for the first time in the places where they are applied, a sufficient number of beds has been appropriated for the treatment of the venereal patients there. Much has been said about the great success of the Contagious Diseases Act, 1866, at Sheerness in 1867, a success ascribed by many advocates—Miss Garrett among the number—to the comparative isolation of that station. "Justina" has conclusively proved that the result was not due to the cause alleged, but even she has failed to show what it was really due to—viz., a greater abundance of beds in proportion to the number of patients needing treatment in the hospital of that station, than was the case in 1867 at the other stations where the Act was then applied. That this is the true explanation, is shown by the following extract from the evidence elicited from Mr. W. G. Romaine, Secretary to the Admiralty, by the Duke of Somerset. [Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. M M

"436. Of course, you are chiefly acquainted with the working of the Act under the Admiralty?—Yes: the Admiralty take three places under their own jurisdiction, as it were, leaving the other places within the Schedule to the War Department, and therefore my knowledge is confined principally to those three places—namely, Portsmouth, Plymouth, and Sheerness.

"437. Has there been any difference in the working of the Act in those three places?—Yes.

"438. Could you state how it has worked in each separately, so as to give the Committee a notion of where it has worked better than in others?—I think it worked best at Sheerness, for we had there the power of sending all the women that were found diseased to the hospital at Rochester.

"439. Had you not that power at the other places?—There were always more women diseased both at Plymouth and at Portsmouth than we could find beds for.

"440. In fact, the Act worked well at Sheerness because you had ample hospital accommodation there?—Yes.

"441. And it has worked inefficiently at Portsmouth and Plymouth, because there was not ample accommodation there?—Yes, that is so."

Such being the true explanation of the considerable fall in the number of admissions to hospital at Sheerness during 1867, it might be expected that so soon as ample hospital accommodation should be provided at the other stations under the Act, the difference in the ratio per 1000 of admissions of soldiers to hospital, which was so marked in 1867 between Sheerness and the other stations, would disappear, and, as a matter of fact, it has done so.

Supposing the voluntary system were applied to the metropolis and the large provincial towns of the United Kingdom, it is obvious from the foregoing considerations that the first step in applying that system should consist in providing an amount of hospital accommodation sufficient to enable all destitute sufferers to be received and treated as in-patients. It is difficult to ascertain what amount of such accommodation beyond that now existing would be necessary in London. Mr. Acton has given a table of the population and of the number of beds devoted to venereal patients in five continental cities—viz., Berlin, Brussels, Hamburg, Paris, and Vienna; and his conclusion is that, "if London had in round numbers 1400 more beds, it would have equal accommodation to the five principal capitals of Europe. If, however, we wish only to equal the accommodation provided in the cities of Paris and Berlin, we should not require more than 800 beds. I believe that 1400 would more than suffice for the exigence of London." We believe that 1000 beds in addition to those at present in use for female venereal patients

in London would be amply sufficient, and that these could be supported at the rate of 35*l.* per bed per annum. The aggregate annual cost would therefore be 35,000*l.* The average annual cost of each bed differs greatly at the different hospitals, military and civil. At Chatham the cost is 40*l.* per bed ; at the London Lock Hospital, it is 24*l.* 10*s.* ; and we believe that, with due care and economy, 35*l.* would provide efficiently all that is necessary. This sum does not include any provision for payment of medical officers, who in many charitable institutions are not paid at all, but who, in our opinion, ought to be remunerated ; neither does it provide for the erection of any new hospitals which might be required. It will be said that by no voluntary system could 35,000*l.* a year be raised for the medical treatment of women in London suffering from venereal disease. We must remind those who say so, that if the Contagious Diseases Acts be extended over London, as their promoters propose, London will certainly be taxed in order to produce a larger sum for that purpose—most probably 40,000*l.* a year—seeing that the beds in the Government hospitals are now costing not 35*l.*, but 40*l.* a bed, and that Government expenditure is generally more extravagant than that which is conducted by private individuals or small independent bodies. We believe that when the people are fairly aroused, and made to comprehend how great are the physical and moral interests at stake, they will voluntarily subscribe that sum yearly, if experience should prove the whole of it to be needful in London, and will also subscribe all that may be necessary to provide whatever hospital accommodation the several towns of the United Kingdom may require. We may remind those who are sceptical as to the possibility of raising adequate funds by voluntary efforts, that the same people who, when feeling deeply, subscribed the Nightingale Fund, are not likely to be unwilling to provide what may be requisite for accomplishing the object now under consideration—an object truly national, and of the deepest national concern. Moreover, as Miss Nightingale's name stands foremost on the list of names of ladies who are opposed to the Contagious Diseases Acts, she may herself appeal to the people to help in the great cause we are now pleading : if she should, and we earnestly hope she will, success, we need scarcely say, would then be assured.

Of course, as is the case now with county hospitals, the small towns and villages having no medical charities of their own, would subscribe to those in the larger towns, and would send their patients to them. In fact, the arrangements and relations of the existing general hospitals would, as a general rule, suffice for the conduct of the whole business required, and in some cases

would not need even to be enlarged, but in other cases they would no doubt need to be enlarged considerably.

The nation, as a whole, is peculiarly interested that its Army and Navy should be maintained in the best possible state of efficiency; now, assuming that adequate hospital accommodation for female venereal patients were supplied by the voluntary system, and considering that the Army in the United Kingdom is to a great extent distributed over its several towns, the health of the soldiers would be greatly increased were the system in question generally and efficiently worked. The managers of the voluntary hospitals would, therefore, be fairly entitled to ask the Government to grant them subsidies in furtherance of their object; and the Government, represented perhaps by the War Office and the Admiralty, would be justified, while having the strictest regard to economy and its responsibility to the taxpayers, to grant such subsidies. It would perhaps be found expedient to restrict them to those hospitals in districts where soldiers are usually quartered, and to let the amount bear a certain proportion to the number of soldiers in each of those districts. In determining the best method of procedure with reference to these subsidies, it should not be forgotten, however, that prostitutes are a remarkably migratory class, and that therefore the Government, through the improved health of its soldiers, would reap positive benefit from all hospitals in which such women are treated, even though in places where soldiers are never kept.

We are strongly of opinion, however, that such subsidies ought to be free gifts, and that it would be inexpedient to accept them unless they were tendered as such. If by virtue of such subsidies Governmental inspectors were once allowed to enter those hospitals, and through them any Governmental control were exercised over them, the principle of Governmental recognition and regulation of prostitution would, to that extent, be virtually adopted, and to a like extent the moral principle underlying the establishment and working of the voluntary system would be vitiated. If the correctness of this view should be generally admitted, a difficulty will arise respecting those hospitals which have been erected by the Government under the authority of the Contagious Diseases Acts; for, obviously, if those Acts are repealed, as we believe they will be, the Government cannot continue to administer those hospitals: if it did so after resigning its present compulsory powers, its administration would be still pervaded in large measure by that principle of State recognition and sanitary superintendence of prostitution which we have shown to be morally disastrous; and even if it were not so, the objections to the maintenance of hospitals for the exclusive reception and treatment of venereal

patients, chiefly prostitutes, are, as we have shown, very great, indeed so great as to justify us in believing that such hospitals, conducted on the voluntary principle, would soon become comparatively useless. They could only be advantageously used for the object in view as *general* hospitals; and such of them as are placed at any considerable distance outside the centres of civil populations might be appropriately used either as convalescent or as military hospitals, according to the peculiar circumstance of the case. But in consideration of the great voluntary effort which we hope and believe is about to be made, it seems to us that all the hospitals in question, except such as it may be thought expedient to reserve for the military, may, with equal advantage to the Government and the nation at large, be transferred to such authoritative representatives of the voluntary movement as might be deputed to receive and work them.

In considering the expense of hospitals for the purpose in question, it must be carefully borne in mind that in every town where hospital accommodation sufficient for the reception and treatment of all the patients needing medical aid is fully provided, the prompt bestowal of such aid as soon as it is needed in all cases, will cause the aggregate amount of venereal disease prevailing to lessen so rapidly and so greatly, that nothing like the number of beds necessary in the first instance will be subsequently required. There is no fact more decisively attested than this—viz., that if of a given number of women, all who are diseased can have prompt medical aid, the total amount of disease amongst them will be quickly reduced from, say, 25 to 2 or even 1 per cent.; and it is simply because only a small proportion of the women can be made to submit to the compulsory system that it fails to achieve its object. If, however, a voluntary system be established and conducted in the manner we describe, the proportion of the total number of diseased women submitting to it will be increasingly great; real progress in “stamping out” the disease will be made, and the amount of hospital accommodation needful for its treatment will steadily and permanently lessen. This being the case, the current expenses of the first years of working the system, if begun on a scale large enough to provide for the treatment of all the patients in the first instance, will also lessen correspondingly. And as the amount of needful hospital accommodation would therefore of course lessen, it would be expedient to exercise great caution in spending money in the erection of large hospitals; and in certain places the wisest plan would probably be that of taking such buildings as might be found most suitable for easy conversion into hospitals for short periods on lease, the more especially as it is questionable whether, on the whole, small hospitals do not answer their purpose better than

large ones do. This hopeful prospect is peculiar to the voluntary system, and in this respect presents a striking contrast with the compulsory system, the conductors of which are engaged in a wearying and hopeless task, towards the accomplishment of which no substantial progress can ever be made. And this prospect affords an additional reason for encouraging the expectation, that the more thoroughly the people become acquainted with the real facts of the matter, the more readily will the requisite funds be forthcoming for working the voluntary system on that extensive scale desirable and necessary at the beginning of the undertaking. But whatever may be the results of experience in this respect, no amount of public apathy would, in our opinion, render it expedient either to extend the operation of the Contagious Diseases Acts, or to stay the proceedings now instituted by their opponents in order to effect their repeal. We hope, and indeed believe, that already a considerable proportion of the "religious" public of England has come to "a knowledge of the truth," that the so-called religious and moral objections to giving medical aid to sufferers from venereal diseases, as well as to sufferers from other diseases, cannot be sustained either by reason or experience ; but if we are mistaken, if a large majority of that public is still so completely under the influence of those feelings miscalled religious, which, perverting the judgment and blunting the moral sense, cause the presence of venereal diseases to be looked on as a visitation of God—a visitation it would be impious to interfere with ; if, in short, the great mass of English people are still so steeped in superstition that they are sure to refuse either to help in or to sanction the working of any system, one of the objects of which is, by medical ministrations, to lessen and to heal venereal diseases, all we can say is—the time is not yet come for effecting the proposed good on a large scale ; and the diseases in question must still continue to exert their degenerative influence, and do their destructive work until the enormity of their baneful effects shall at length rouse the nation to inquire whether the theological doctrine which leads to these results can really be true. When that question shall be once agitated, the answer will, we feel assured, be in the negative, and then the beneficent measures we have indicated will, we are not less assured, become both practical and practised ; and if indeed this change in public opinion still needs to be effected, the unspeakably great good which it will induce whenever it shall take place will more than compensate for the suffering that may have to be endured meanwhile. There certainly is, however, a large number of persons who have become convinced that the diseases in question may and ought to be dealt with, and that the most expedient mode of dealing with them is by an associated voluntary effort of the kind we have indicated : such persons may

at once co-operate to inaugurate the great work waiting to be done. And though during their lifetime it may not be extended on a great national scale, and they may not see the large amount of fruit which the tree they are planting will ultimately yield, they will have the consolation of knowing that they have begun the work in the right way, and that every step which shall be afterwards taken in the same direction, while tending to effect an immediate diminution of disease, will ultimately lead to a removal of the causes out of which it springs.

Those who engage in this work will find, we venture to predict, that the measure of their success will be in exact proportion to the extent to which in all their dealings with the women they evince genuine respect for the various positions in the social scale occupied by them in relation to each other, and generally for their feelings and individuality. They are quite as tenacious of their own class distinctions as respectable women are. "It is," says Duchatelet, "difficult to convey an idea of the contempt, which, according to the class to which she belongs, each woman manifests for those of the other classes. Those women who associate with men of wealth or of high position look only with disdain upon such women as are only sought after by men of merely ordinary fortune. Women of this class, again, condemn in like manner the unhappy creature who only appears in the rags of the most disgusting misery. This distinction which prostitutes establish among themselves is avowed by all, and is especially remarkable when circumstances cause them to meet each other at the same place : they avoid each other ; they do not sit down on the same seat ; they form isolated groups and do not mix together in conversation. It may be said generally that these classes do not intermingle : that is to say, the girls do not pass imperceptibly from one class to another, and successively from the highest to the lowest : they remain till the end in that class in which they began their career, or out of which they have been unable to go ; and thus it is that very beautiful girls may be seen to begin and end their life of prostitution in the most infamous places. Each of these localities being frequented by a particular class of men, the women there acquire a tone, habits, and manners, the result of which is that the girl destined for the artisan, the labourer, and the mason, finds herself misplaced with the officer, and is devoid of the necessary attractions for the latter. The same is true with respect to the woman who has contracted the habit of living with the educated and elevated classes of society : she shrinks from associating with coarse, vulgar people, who themselves are unable to appreciate the qualities which distinguish her. This rule may be considered general. A girl who makes her *débüt* in one class would believe herself to be losing caste in leaving the class she

occupies for one immediately below it. This is partly the reason why so many girls withdraw themselves from prostitution a short time after they have entered upon it."

Considering the great variety just indicated of rank, habits, and character of prostitutes, it is evident that any attempt to huddle together indiscriminately in one and the same ward girls differing so greatly in many respects from each other would be sure to fail to a very large extent in achieving the object intended. Almost every one who has given careful attention to the subject is of this opinion. Dr. W. S. Trench, whose experience, notwithstanding that he is in favour of the Contagious Diseases Acts, entitles his judgment in this matter to great respect, said to the Committee of the House of Lords, "I think you must separate the better class from the commoner, otherwise you break down every feeling of self-respect: if you bring what are called the better class of prostitutes amongst the common prostitutes of the town, morally you do an incalculable harm to the former." This opinion was also expressed to the same Committee by Mr. Acton. "There ought," he said, "to be a classification of the married women, and the hardened prostitute, and the girl who has only recently been diseased, because we frequently find that girls who have only committed one fault have become diseased, and such patients, under a proper system, would not become further contaminated by the depravity of other women worse far than themselves; it would never do to put them in the same ward with a hardened prostitute." Duchatelet also observes, "Among these poor creatures there are those who have only been merely led astray or seduced, and who have succumbed only through weakness, or who have been carried away by any of the numerous temptations to which they may have been exposed. They are conscious of their fault, repent of it, and desire only to return to a life of respectability." On the other hand, "one also sees too often at the *Lourcine*" (hospital), says the same author, "very young girls of precocious depravity, whom the habit of unbridled licentiousness leads there continually." The great moral evil which would inevitably be wrought by mingling these two classes of girls together in the same ward of a hospital needs only to be pointed out to be apprehended; and under a voluntary system many girls of the former class would absolutely refuse to stay in a hospital where they were condemned to be the companions, night and day, of girls of the latter class. Attempts are constantly being made by the Paris prostitutes to avoid going to the *Hôpital St. Lazare*, which is especially intended for them, and instead to enter the *Lourcine*, destined for female venereal patients who are presumed

not to practise prostitution. Moreover, there is a large number of young women in Paris—shopgirls and others, including those called *grisettes*—who, when they become infected, resort to every imaginable *ruse* to obtain admission into the general hospitals rather than suffer what they would feel to be the stigma and perhaps grave pecuniary as well as social injury which would attach to them were they to enter either the *St. Lazare* or *Lourcine*. All the feelings which French girls exhibit in this respect are certainly experienced by English girls, and probably in a greatly intensified form; and unless the managers of the proposed hospitals make themselves thoroughly acquainted with them, and evince practical respect for them, a vast number of English girls needing medical aid will choose to suffer in silence, rather than enter hospitals in which they would be liable to be herded together with girls of a class far inferior to their own.

Great difficulties would present themselves in the way of any classification of even the lower order of prostitutes according to rank and character in a Governmental hospital which they are forced to enter; but in private or voluntary hospitals such difficulties would not exist: no benefit could there be claimed as a right, but when offered, if not received as a blessing, it would at least be received with the conditions connected with its acceptance or it would simply be refused. The principle of freedom would govern the administration of each hospital—freedom in giving, and freedom in accepting or refusing; so that the administrators would feel no more difficulty or constraint in classifying the inmates and associating them together in groups of members suitable as companions to each other, than does the mistress of a girls' boarding-school in arranging her pupils in classes according to their intellectual fitness. Moreover, while such hospitals would be essentially charitable institutions, there is no reason why the superior classes of women received into them should not pay small weekly sums, as a partial return for the benefit received, such sums to be determined, partly by reference to the recipient's ability to pay, and partly in proportion to the kind of accommodation and privileges afforded. And we are glad to find this opinion supported to some extent by Dr. Trench. He says—"You should have grades (in the hospitals), and allow the women to go into different wards, if you have different wards according to the status of the women, on a fixed payment for that accommodation." As we have said, we do not think it would be expedient to exact payment according to any scale, although we think it would be very desirable to encourage every inmate of the hospital to pay according to her means. In this way, while the institution would receive in the aggregate a large amount of contributions towards defraying its annual expen-

diture, the relation between the inmates and the supporters of the institution would not assume the character of a business transaction, but would continue a moral one. Feelings of independence in the women would be respected and cultivated, while, on the other hand, seeing that all that was done for them was prompted by a genuine solicitude for their welfare, they would experience a genuine attachment for both the institution and the managers of it, an attachment which, in the event of their again needing help, would insure their return.

We need scarcely say that it would be of the first importance that the bearing not only of the medical officers but of the nurses should be especially kind, gentle, and respectful. We are sorry to say that women of the class under consideration have not seldom experienced in hospitals treatment the reverse of this ; but this alone would be truly accordant with the spirit of the system which we hold to be necessary, as a condition of success. On this point Duchatelet has made some extremely judicious remarks which we here translate as follows :—

“ Experience has proved the utility, indeed the necessity, that the medical officers should observe great gentleness both in their speech and procedure; prostitutes overwhelmed with humiliations, treated with the utmost disdain, and feeling acutely their abjection, know how to appreciate a method of treatment less rude, and they are generally extremely grateful for the kindly feeling it indicates. * * * This gentleness far removed from familiarity, and which is not incompatible with the reserve, gravity, and dignity which indeed it is necessary to emphasize under the circumstances, enables the physicians to command the respect and deference which are due to them, and which the women are eager to render.”

In fact we may state as a rule that the behaviour, moral tone, and general character even of these women, vary with and reflect the spirit, manner, and treatment which they meet with in those around them ; and hence the urgent necessity that the conduct towards them of every member of the hospital staff, from the highest to the lowest, should be at once especially circumspect and kind.

The power of detaining women in hospital against their will for nine months together, now conferred by the Contagious Diseases Acts, is said by the advocates of those Acts to be absolutely necessary in order to insure the cure of the patients before they are dismissed. But notwithstanding the strong opinions of those persons, we are confident that a much greater number of cures will be effected when that power is abandoned, and that, as a rule, girls may be induced to make a prolonged stay in hospital when necessary without it. But whether they can or not at the present time, it is quite certain that only a small proportion of

those requiring medical aid can be either forced into or detained in hospital by the compulsory system, and that the only power which is sure to succeed in both getting the great majority of those who are diseased into hospital, and of keeping them there as long as may be necessary for their cure, is the power of kindness. Those who are more intent on obtaining results speedily than on obtaining them through a rightful agency, will perhaps be impatient with the slow working of that power at its onset ; but they should bear in mind that very few of the girls and women to be acted on have as yet any practical acquaintance with it, that the hard experience of many has led them to disbelieve in its existence, and that only when they come to know it as an indubitable reality and to feel it near them, will the full force of its magic influence become operative. Then its beneficent results will become strikingly apparent, and will rapidly increase in an almost geometrical rather than arithmetical ratio ; and, rejoicing over those results, men will look back with wonder to the time when, putting their faith in Acts of Parliament representative of physical force, they disbelieved in that psychical force which is alone capable of achieving the object in view. Indeed, such crude and partial trials of the voluntary system as have already been made do not discredit, but rather attest, its efficacy even in respect to the detention of patients in hospital. The results of that system at Dumfries, and at Winchester thirty years ago, imply that, as a rule, the patients must have remained in hospital until they were cured ; probably like results will be forthcoming from many other general hospitals in the United Kingdom, when public attention is directed to the subject ; but in an English *Lock* hospital, which an English girl can only be constrained to enter by the direst necessity, the proportion of women found willing to stay until they were cured, was in fact greater than in our opinion could, under the circumstances, fairly be expected. During the period from Dec. 3, 1863, to March 31, 1865, 282 Lock cases were admitted into the Royal Albert Hospital at Devonport, and though the authorities of that hospital had at that time no power of detaining the women, 234 of that number stayed voluntarily till they were cured. As the Lourcine hospital is not a prison into which patients are taken by the police, as they are into St. Lazare, they can leave it when they like. Nevertheless, when they desire to go out before they are cured, the authorities generally succeed in persuading them to remain : the physician expostulates with them ; if they still insist, he sends them to the Director, who tries to make them understand that for their own sakes they ought not to interrupt the treatment, that if they do so they will be sure to return in a worse state, and that their cure will then be much more

difficult, and will need a much longer time. If they still insist he refuses at first, in order to allow them time for reflection, to give them their clothes, without which they cannot go out. Generally these measures suffice to induce them to stay; and only in the few cases in which all efforts of this kind fail, do the authorities resort to the ugly expedient of threatening the patient who resolves to go out uncured, that they will inform the police in order that they may place her under *surveillance* from the time she leaves the hospital. The *Hôpital du Midi*, appropriated to male venereal patients, is also, of course, on the voluntary principle, and we have reason to believe that there too the cases are few in which patients insist on going out without the sanction of the surgeon; and the fact that both these hospitals, though special hospitals, are as a rule constantly full, will probably help to confirm the belief of those who are still doubtful, that, unless under rare and peculiar circumstances, patients entering hospitals administered on the principle and in the spirit we have indicated will cheerfully consent to remain till their cure is completed.

The practice of periodical medical examinations and of granting certificates that the women examined are free from venereal disease which form a characteristic, and, as is believed, indispensable part of the governmental control of prostitution, can have no place among the remedial agencies which we are proposing to substitute for that system. Such periodical examinations and certificates constitute a practical recognition of the necessity of prostitution, and are conjointly intended to enable those who practise it to do so without danger. In proposing to heal the diseases of prostitutes, we do so on the principle which would induce us to give medical aid to a sufferer from delirium tremens, or any other of the numerous diseases which men and women bring on themselves by their vices, their folly, or their ignorance. But as we are not desirous of discovering and establishing any method by which men may drink unlimited quantities of alcohol without exposure to the danger of intoxication, so neither do we think it expedient to facilitate the practice of debauchery and the gross perversion of the functions of the reproductive system which that practice involves, by instituting those systematic and periodical examinations which the Contagious Diseases Acts enforce. As we have frequently repeated, the central principle of the medical administration we advocate is the voluntary supply of medical aid to those who voluntarily seek or accept it,—the object being while “reprobating” the “sin” to relieve the “sinner” of some part at least of the suffering which his “sin” entails, and by doing so to save more or less completely those in intimate relation with him from that

share of the suffering which, owing to that relation, would otherwise inevitably fall upon them. For this object, and in the spirit here implied, we should be disposed to advise that any girl or woman merely apprehensive even that she may be diseased, and desirous of submitting herself to examination for the purpose of arresting disease, if any should be found, should be examined, just as any private patient might be for a like reason ; but any systematic and periodical examination which would practically hold out the assurance of immunity from venereal disease to those consorting with the women receiving medical aid, we should think wholly inexpedient, because both its physical* and moral consequences would prove calamitous.

When the Contagious Diseases Act now operative in Bengal, was passing through the Legislative Council at Calcutta, Dr. Farquharson, Physician to the Governor-General, procured the insertion of a clause providing, to some extent at least, for the examination of the women by women ; and it seems to us that as women in this country become "duly qualified" in increasingly large numbers to practise medicine, the most skilful and eminent of them might be appropriately and advantageously appointed to fill medical offices in the hospitals, and especially in the wards where the women in question are treated. We confess however, that we do not attach so much importance as some advocates of the medical education of women do to the proposal that the practice of midwifery and treatment of the disorders of the female reproductive system should be conducted by women : we believe that persons of truly healthy moral feeling will see neither true delicacy nor true wisdom in insisting on rigorously assigning special branches of medical practice to either one sex or the other ; but be that as it may, we think it really desirable that women shall have every possible facility for gaining a knowledge of the science and art of medicine, and for acquiring such medical appointments as their professional qualifications may entitle them to, and we think their presence in hospitals especially desirable. Being there, they might be a comfort to many patients of their own sex, and especially to many of the class we are considering ; but whether as a rule women of this class would prefer medical treatment by professional women is a question which can only be definitely answered by experience.

There is, however, no doubt in our minds as to the urgent need of organizing a volunteer army of sensible, educated, and thoroughly enlightened women who would work as Sisters of Charity, making the hospitals the centres of their operations, and

* The meaning we here attach to the word "physical" will appear in our last paragraph but one.

radiating their beneficence from them in every direction in which the intelligence gained there might guide them. The good such women might do if they should go about their work in a really wise and judicious way would be unspeakably great. We should like to see such an organization connected with each of our medical charities, and then of course all prostitutes who became recipients of their benefits, would come in contact with and under the influence of their respectable and compassionate sisters. But the qualifications justifying admission into such a sisterhood as we are thinking of would be of no common order. Candidature for admission into it should not arise from mere disappointment in love, ennui, impatience of the dull routine of ordinary women's ordinary life, a desire for distinction, a love of power, or even from religious enthusiasm; it should be the result of deliberate thought by those women, who, gifted with truly sympathetic natures and possessing the requisite data from which to form a correct judgment as to what constitutes really beneficent charity, feel themselves impelled to become its agents and missionaries. While the deeds of true charity, as of true mercy, are "twice blessed," blessing "him that gives and him that takes," injudicious, indiscriminate charity is peculiarly baneful. We are therefore inclined to believe that women will not do their work of charity as they ought to do it and might do it, until they organize themselves into societies, membership of which, as of a college, shall only be acquired by candidates who tender evidence of adequate qualifications. We think, however, that that work would be still more effectually done if both sexes were to co-operate in doing it, and if such societies, while comprising both, were to make discussion of their objects, plans, and means, a distinctive feature of their organization.

And we may add here, that that grave fault committed by many ignorant but well-meaning women of every social grade, who busy themselves in administering that spurious charity which they offer as a bribe to effect conversion to some religious creed, must be rigorously avoided. Few influences are more degrading and demoralizing than this: it generates systematic deception and lying, and very commonly there grows up in the minds of the recipients of such charity little else but silent contempt for those who administer it. A considerable proportion of the prostitute classes are thoroughly intelligent, and unless their religious feelings and convictions are really respected by those who aim to benefit them, repulsion instead of attraction will be induced, and failure in a large proportion of cases will consequently ensue. Here again the principle of freedom, that cardinal principle—genuine practical respect for the individuality of the individual, must be our constant guide.

Now supposing the existence of such societies, little insight will be needed to perceive and appreciate the enormous amount of good which the sisterhoods forming parts of them, and coming in direct contact with the suffering members of the various classes of prostitutes while in hospital, might effect. The work of social and moral reformation would then begin in earnest: the willingly erring would receive wise counsel and the offer of guidance; the fallen would meet with sympathy and find themselves in the presence of respectable sisters who do not look upon them with disdain, but with compassion, and who are always ready to help in their recovery; while the reluctant victims of seduction would find a refuge and protectors always anxious and often able to enforce atonement of some kind from their seducers.

Hospitals organized and conducted as we have now described, would exemplify and carry out in relation to prostitutes what we consider to be the policy of justice and common sense; and in doing so they would, we confidently affirm, *attract* into their wards all of those suffering from disease and unable to pay for private medical aid. At first perhaps, the influx would be slight; but every one who became a partaker of the proffered benefits would afterwards cause them to be increasingly sought after by proclaiming to her suffering sisters where they could get the help they might be needing, and the spirit in which it would be given. Indeed such institutions, imitating in their working the example set by Christ himself, in his dealing not only with the woman taken in adultery, but with the "woman in the city which was a sinner," would soon induce all like her and who needed help to come and freely receive it; and seeing that compulsion was never resorted to, that their diseases were healed for their own sakes, and not chiefly for the sake of the men who might consort with them, and that the compassionate sisters ministering to their necessities and striving only by reason, persuasion, and sympathy, to rescue them from their degrading life are actuated solely by genuine disinterested love, they would whisper to themselves,—These are angel-sisters, who look us thro' and thro'

" With larger other eyes than ours
To make allowance for us all,"

and would in large numbers yield themselves up to the moral and elevating influences surrounding them.

Here we reach the border-land, where considerations how best to lessen and prevent the diseases associated with prostitution merge into those how best to lessen and finally to abolish prostitution itself. The first only was the task we assigned to ourselves, and we think we have now fulfilled it by showing, as we promised

to do, that the plan of dealing with prostitution now pressed on the legislature, of extending the operation of the Contagious Diseases Acts over the whole country, "will both signally fail in the object in view, and will itself entail evils far greater than those it is intended to remedy, and that there is a plan open to no such objection, in harmony with the free spirit of English institutions, which, if practised will be successful." But now we imagine we hear some of our readers exclaiming with surprise and disappointment—"The system proposed is one of such genuine kindness to the whole class of prostitutes, that it will rather encourage than discourage the practice of prostitution, and is certainly open to one of the gravest objections urged against the Contagious Diseases Acts, viz, that curing the diseases from which prostitutes suffer will powerfully contribute to the increase of licentiousness." In the first place we must remind our readers, that we did not undertake to advise how morality may be promoted, or how immorality may be checked : our chief theme was how venereal disease may be most effectually lessened, and only incidentally how the methods proposed would compare with each other in respect to their influence on the moral life of the community. And in the second place we must observe that experience has abundantly proved that the fear of disease operates in only a very slight degree as an effectual check on the indulgence in fornication. But the real justification of the method we recommend lies in the fact that the need to lessen and prevent the spread of venereal disease is a very pressing one, and that, as we have striven to show, only by adopting what we call the policy of justice and common sense can we really accomplish that object. And coming, as we do here, face to face with the inevitable lesson, hard to learn perhaps by the present generation, that the moral life of a community can neither be developed nor sustained by the constraining influence of fear, we invite those of our readers who are accustomed to see in disease a salutary check, a providential interposition, with which they refuse to interfere, to look a little deeper.

The laws of nature are inexorable, and from the penalties which they inflict on the disobedient, there is in fact no escape; but while no human help can avail to avert the suffering of those penalties, it is one of the most noble and sacred duties of humanity not only to prevent them from being intensified and supplemented as they are too generally wont to be by human agency, but also to mitigate and alleviate the inevitable suffering as much as possible. Men are unduly prone to see in the so-called venereal diseases, the natural penalties attaching to the sin of profligacy ; but in our opinion these diseases, though to some extent indissolubly associated with excessive indulgence of the sexual

appetite, are to a much greater extent avoidable incidents of that indulgence; and this opinion is confirmed by the fact that until the end of the fifteenth century syphilis was either unknown in Europe, or until then had presented itself in such mild and insignificant forms as to attract no general attention, and make no notable impression on the public mind. Was the terrible outbreak and epidemic of syphilis at that date a mark and a punishment of exceeding sinfulness distinguishing that time? And are we to infer that because syphilis has now prevailed in Europe as a severe disease during nearly four centuries, Europeans have during that time been much more sinful in matters sexual than they were before? The idea that syphilis is Divinely ordained as a punishment for excessive indulgence of the sexual appetite is not merely unsupported by any evidence—it is wholly preposterous. The real punishment is more vital: it affects and deadens the life of the innermost structure of the sinning part of the organism—that part of the nervous system presiding over and animating the reproductive organs. This is abundantly manifested in the experience of tens of thousands of Orientals whose reproductive faculties are already dead when the men themselves are but just reaching maturity; and no English physician who has opportunities of adequate observation, and who reflects on what he sees, can fail to recognise how widely spread is the same phenomenon in this country. Indeed the punishment goes still deeper: it injures the whole nervous system, and thus deadens and perverts the mind itself. As Emerson well expresses this central truth:—"Every excess causes a defect. . . . Every faculty which is a receiver of pleasure has an equal penalty put on its abuse. It is to answer for its moderation with its life. . . . Justice is not postponed. Crime and punishment grow out of one stem. Punishment is a fruit that unsuspected ripens within the flower of the pleasure which concealed it." Just as a man may be a habitual drinker of alcohol for years without having an attack of delirium tremens, so a man may live a life of habitual libertinism or of conjugal licentiousness without becoming infected with venereal disease; nevertheless in neither case is there any possible escape from the real punishment—a real loss of life, which is always inseparable from the wickedness of excessive indulgence in either the one way or the other. Such being an inevitable law of nature, even those "Christians" in whose minds "mercy seasons justice" least perceptibly, and who are therefore most anxious to assist in the execution of what they deem Divine justice, may safely leave its sole execution to the Supreme Power, and may rest fully assured that the majesty of the law will be amply vindicated.

[Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. N N

There is therefore no need for them to stifle within themselves the growth of the sentiments of mercy and of kindness towards that large class of social outcasts who have long suffered at their hands ; but on the contrary, by cultivating feelings of compassion and sympathy for that class, they would not only be saving the members of it from a large amount of needless misery, but they would be at once more truly just to them and more truly considerate of their own welfare.

A solemn crisis in the social and moral life of this country is at hand, a crisis which is being both developed and expressed by the progressive enactments of the Contagious Diseases Acts. If after giving attention to the subject a majority of the English people should consciously determine to allow those Acts to remain on the Statute-Book, and to extend their operation over the United Kingdom, then all the physical, social, and moral evils which we have shown to be produced by the recognition of prostitution as a necessary part of civilized life will be suffered by this country, and after their corrupting influences have been exerted for a time, they will have so cankered and paralyzed its moral life, that it will be in danger of losing even the power of apprehending and appreciating the nature and extent of the evil it is suffering, and will then proceed at an accelerating rate along the downward path of physical and moral degeneration towards the abyss of national death. But if on the contrary that majority should happily become so enlightened, as to be able to understand the real nature and meaning of the present crisis, and should exemplify the wisdom and the will needful to guide themselves safely through it, then its impending dangers will be turned into blessings. When the whole nation is roused into consciousness of the great physical and moral evils which are associated with prostitution, which have accumulated during centuries of neglect, and which are the results of theological and physiological delusions on the one hand, and of selfish indifference on the other, we shall then see that our first duty is to do justice to the thousands of outcast women who, though more sinned against than sinning, have hitherto been the wretched objects of unceasing social persecution ; we shall sternly resist the attempt, in the form of the Contagious Diseases Acts, to make them legalized slaves, disciplined and duly qualified by the State to minister safely to man's sensuality ; we shall treat them as human beings, whose physical sufferings and moral degradation constitute an especial claim on our sympathy, our compassion, and our help ; we shall labour for their physical, social, and moral recovery, both for their own sakes and for the sake of the whole community ; we shall insist on meting out the same measure of condemnation to both sexes for

like offences committed by either ; we shall repudiate the doctrine of the permanent necessity of prostitution, and shall institute a radical investigation into its causes with a view to their removal ; abandoning altogether the false and misleading notion that men may be made moral through the influence of fear produced by the presence of venereal diseases, we shall at length recognise that the only wise and successful method of promoting human ennoblement is by appealing to the reason and to the love of the noble and the beautiful existing, either latent or more or less developed, in every human being ; and, keeping constantly before our eyes an ideal standard of sexual purity, we shall inculcate the duty of striving to attain it, and thus of securing that physical and moral health which, while incompatible with abusive indulgence of the sexual nature, is the indispensable condition of truly vigorous individual life, and therefore of permanent national strength and greatness.



INDEPENDENT SECTION.

[Under the above title a limited portion of the *Westminster Review* is occasionally set apart for the reception of able articles, which, though harmonizing with the general spirit and aims of the work, contain opinions at variance with the particular ideas or measures it may advocate. The object of the Editor, in introducing this department, is to facilitate the expression of opinion by men of high mental power and culture, who, while they are zealous friends of freedom and progress, yet differ widely on special points of great practical concern, both from the Editor and from each other.]

ART. VIII.—THE ACTION OF NATURAL SELECTION ON MAN.

1. *On the Origin of Species by Means of Natural Selection.* By CHARLES DARWIN, M.A., F.R.S. &c. London : John Murray. 1866.
2. *The Principles of Biology.* 2 vols. By HERBERT SPENCER. London : Williams and Norgate. 1867.
3. *The Principles of Psychology.* By HERBERT SPENCER. 1855.
4. *The Origin of Human Races and the Antiquity of Man, deduced from the Theory of "Natural Selection."* By ALFRED R. WALLACE, Esq., F.Z.S., in the "Journal of the Anthropological Society," vol. ii. 1864.

ETHNOLOGISTS have long differed as to whether man has originated from one or more centres, and the discussion of the subject has often been animated in the extreme. The question, however, between the monogenists and the polygenists requires to be treated anew when regarded in the light of the Darwinian theory. For heretofore both parties have supposed that they should have succeeded in proving or disproving the unity of human origin according as they could show whether the genus "homo" consisted of a single or of several species, each party believing that species were separate and independent creations. But now that we have ceased to believe that the species composing a genus are separate and independent creations, the nature of the question is entirely altered.

According to the Darwinian theory, man, whether he constitutes only a single or several species, must have originated from a *prehuman* species; and as to the mode of origin of the various races, two hypotheses may be entertained. Either there first appeared a *uniform human* species before any of the pre-

sent races existed, of which ancestral species they are the modified descendants; or, on the other hand, the races of man have originated separately and independently from the *prehuman* species. If a single human race was first developed out of the prehuman species, and then by its differentiation gave origin to the existing races, the monogenist theory may be considered established, and that too whether the races are regarded as species or merely as varieties; while, on the other hand, if it should appear that the various races of man have sprung separately and independently from the prehuman species, the verdict will be in favour of the polygenists.

The decision of the question will depend almost entirely on our definition of *man*. As the modification of the parent species which has given rise to man has proceeded gradually and, as it were, insensibly, if this prehuman species now existed with all the intermediate modifications between it and what we now call man, we should be at a loss to draw a line between what was human and what was not, we should be puzzled to say where the animal proper ended and man began; we should in fact have to select arbitrarily some character or combination of characters, the presence of which we should agree to consider entitled the possessor to the name of human, the absence of which we should agree to regard as proof of animality. If, for example, the use of articulate speech were to be selected as the distinguishing sign of humanity, then the question of the unity or multiplicity of human origin would be equivalent to this, Did the use of articulate speech possessed by the various races of men originate in one or in several centres? The answer to the problem therefore would have to be sought from philologists, since it would really be one as to the unity or plurality of origin of human speech.

This part of the action of Natural Selection on man, however, I pass over, as the whole question of his descent, of the origin and nature of the various races, and of the operation of sexual selection in their production, is soon to be discussed by Mr. Darwin himself, when we may expect as exhaustive a treatment of the subject as the materials at present available will admit.

Leaving then the action of Natural Selection on man in the remote past, let us consider its more recent, its present, and its prospective operation.

We supposed above speech selected as the characteristic whose appearance in a species of the primates might be our distinguishing mark of commencing humanity, while we left undecided whether speech appeared at one or more independent points in the area occupied by the prehuman species. The faculty of speech is, however, but the outward and sensible sign of several inward and invisible qualities; and among these may be mentioned a higher grade of intelligence than that

possessed by the lower animals, and certain social feelings to the gratification of which the faculty of speech ministers. With these three characteristics we may imagine our primeval man endowed, speech, intelligence, and social feeling; the latter two of which, while he would have them in common with the pre-human species and the rest of the primates, he would have in a higher degree.

Now my first observation is that the presence of these three faculties, developed to the extent that we supposed them to be in our primeval man, initiates a most profound modification in the action of Natural Selection. In order to explain my meaning it will be necessary to remind the reader of the purport of the Darwinian theory.

Malthus showed that human population is limited in two ways—either of set purpose no more children are born into the world than the parents (or possible parents) think there will be adequate and available sustenance for; or, the surplus population is carried off by premature death. The former method he called the preventive, the latter the positive check; and he showed that in every period of history and in every quarter of the globe, one or other, or both of these checks, have been in action, limiting human population. In the case of plants and the lower animals it is evident that the positive check, premature death, alone can operate; and what Mr. Darwin has shown is, that by the operation of this check have been differentiated all the various species of organisms that now exist, not excepting man himself. In consequence of the law that all organic beings have powers of multiplication far exceeding the means of subsistence, and in consequence of the deadly struggle for existence thence ensuing, the least adapted individuals have been exterminated, the best adapted alone have been preserved. All favourable variations of structure have thus been preserved and accumulated; and changes of form and organization, sufficiently great in the long run to give their possessors a claim to be considered new species, have ever been going on.

When, however, man, such as I have defined him, appears upon the scene—the highest result as it were of Natural Selection—the power of Natural Selection to modify the bodily frame and structure of this, its latest production, gradually becomes less; and this power continues diminishing in proportion as he advances in intelligence and social co-operation. This will perhaps be best understood if stated in the words of Mr. Wallace, the well-known naturalist of the Malayan Archipelago, who, as far as I am aware, first pointed out the fact.

“At length,” he writes,* “there came into existence a being in whom that subtle force we term *mind* became of greater importance

* “Anthropological Review,” May, 1864.

than his mere bodily structure. Though with a naked and unprotected body, this gave him clothing against the varying inclemencies of the seasons. Though unable to compete with the deer in swiftness or with the wild bull in strength, this gave him weapons wherewith to capture and overcome both. Though less capable than most other animals of living on the herbs and the fruits that unaided Nature supplies, this wonderful faculty taught him to govern and direct nature to his own benefit, and make her produce food for him when and where he pleased. From the moment when the first skin was used as a covering, when the first rude spear was formed to assist in the chase, the first seed sown or shoot planted, a grand revolution was effected in Nature, a revolution which in all the previous ages of the world's history had had no parallel, for a being had arisen who was no longer necessarily subject to change with the changing universe,—a being who was in some degree superior to Nature, inasmuch as he knew how to control and regulate her action, and could keep himself in harmony with her, not by a change in body, but by an advance in mind. . . . From the time then, when the social and sympathetic feelings came into active operation, and the intellectual and moral faculties became fairly developed, man would cease to be influenced by Natural Selection in his physical form and structure; as an animal he would remain almost stationary; the changes of the surrounding universe would cease to have upon him that powerful modifying effect which it exercises over other parts of the organic world. But from the moment that his body became stationary, his mind would become subject to those very influences from which his body had escaped; every slight variation in his mental and moral nature which should enable him better to guard against adverse circumstances, and combine for mutual comfort and protection, would be preserved and accumulated; the better and higher specimens of our race would therefore increase and spread, the lower and more brutal would give way, and successively die out, and that rapid advancement of mental organization would occur which has raised the very lowest races of men so far above the brutes (although differing so little from some of them in physical structure), and, in conjunction with scarcely perceptible modifications of form, has developed the wonderful intellect of the Germanic races."

Thus Natural Selection ceases to modify so much the bodily frame, and concentrates its efforts more and more on the brain and mind.

A speculation of Comte's may here be adduced in illustration of this law. It was one of his favourite generalizations that while in the speculative sphere the mind of the human race had to traverse a protracted theological period before it reached the scientific stage of development, so in the sphere of practical affairs man had to pass through a long military *régime* before he entered upon the industrial phase. He believed, moreover, that the two successive stages in the mode of speculation were parallel and coincident with the two successive phases of practical life, that the military *régime* corresponded and coexisted with the theological stage, and that the industrial and scientific

phases were similarly coincident. This theory of Comte's, like many other of his generalizations, if not the exact truth, was probably an approximation to the truth. While, however, we may allow the antithesis between the theological and the scientific spirit, that between the military and the industrial *régimes* is not so evident. For, if we consider the various modes in which mankind at successive periods of their evolution have obtained the necessities of life, we shall find that a certain amount of industry has always prevailed. In the first or savage stage, his industry was shown either in hunting or fishing, or in collecting the spontaneous fruits of the earth; in the second or nomad stage his industry was developed into the higher form of rearing and tending his flocks and herds, and performing the other requirements of pastoral life; while in the third or agricultural stage the necessity for his industry is evident. Now, with all these stages the military *régime* is quite compatible, and has been in fact coincident; but what it is not compatible with, and is indeed antagonistic to, is the reign of law. The military *régime* was the reign of physical force:

“ The good old way, the simple plan,
That they should take who have the will,
And they should keep who can;”

and its antithesis is properly the legal *régime*, representing not so much industry, as law and justice.

This empirical generalization of Comte's affords corroboration to the law we have been considering—the law, namely, that as human society progresses Natural Selection loses its power over man's physical form and structure, and concentrates its action more and more on his brain and mind. For in the animal world war and rapine are the very conditions under which Natural Selection works; and if the struggle they indicate ceased, if Nature were no longer “red in tooth and claw with ravin,” the power of Nature to modify the animal frame would cease also. In the same way, as long as social relations are settled by physical force; as long, in short, as the last vestige of the military *régime* of Comte lasts, so long will Natural Selection exercise some power in modifying the bodily frame; but as soon as physical force ceases to be the arbiter of social relations—in other words, as soon as the legal *régime* is fully developed, and the reign of law and justice is undivided and supreme—then will the action of Natural Selection on man's bodily frame cease and determine.

But not only does man take from Nature the power of modifying his own bodily frame, limiting its action to his cerebral organization, we find besides that he has even encroached upon the hitherto undivided sway of Natural Selection over the rest of the organic world; and that both in the vegetable and in the animal kingdoms he tends to supplant this power. For the ma-

jority of the plants that cover the surface of the earth wherever man's power is supreme, and the majority of the animals that feed upon them, now owe their existence to Human, not to Natural Selection. In the words of Mr. Wallace—

“This victory which he has gained for himself gives him a directing influence over other existences. Man has not only escaped ‘Natural Selection’ himself, but he is actually able to take away some of that power from Nature which, before his appearance, she universally exercised. We can anticipate the time when the earth will produce only cultivated plants and domestic animals; when man's selection shall have supplanted ‘Natural Selection;’ and when the ocean will be the only domain in which that power can be exerted which for countless cycles of ages ruled supreme over the earth.”

The action of Natural Selection on man becomes modified in another way as his moral and social feelings are developed. We have seen that in the case of other animals the numbers are limited by premature death through deficiency of food or some equivalent cause; that they are kept down by the “positive” check of Malthus. But as man progresses in civilization, and his sympathetic feelings deepen, he begins to calculate the more remote consequences of his acts, both to himself and to others; he begins therefore to dread the prospect of having children whom he cannot comfortably support and satisfactorily start in life. From foeticide, too, and infanticide he turns away in horror. Gradually therefore he comes to reflect whether he will have the means of supporting children before he undertakes the responsibility of producing them. The preventive check, in short, begins to act as well as the positive; the moral as well as the physical. In one sense, indeed, this is but another aspect of our previous proposition, that Natural Selection tends to lose its power over the *physique*, and to concentrate its action on the *morale*; and it is perhaps not too much to expect that finally moral restraint will entirely supersede the necessity of premature death.

That the excessive numbers of our population in comparison with the demand for labour are the cause of our enormous pauperism is almost a commonplace of economists; while it will be allowed by all that pauperism and poverty are the hot-beds of disease and crime, and that if the former were got rid of, the latter too would to a great extent disappear. If this teaching of the economists be true, it is an evident practical corollary that all our efforts ought to be directed to discouraging, and, if possible, preventing, improvident multiplication; and to inculcating, both by precept and example, reproductive restraint.

But what does one of our most eminent thinkers, Mr. Herbert Spencer, teach on this all-important subject? He points out, and with truth, that in the case both of animals and plants the fertility diminishes in proportion as the rank of the species in the biological scale rises; in other words, that the fertility of

organisms varies inversely as their size and the complexity of their organization. He shows too that this law is itself a result of the action of Natural Selection; which thus determines the actual degree of fertility of any and every species, each possessing whatever amount is most favourable to its continued existence. And he asks, Does not the same law apply to man? Is not his power of reproduction comparatively small in correspondence with his high rank in the animal scale; and, as the complexity of his organization increases (in his case principally shown in increasing complexity of brain), will not the universal law of diminishing fertility with increasing complexity continue?

From this line of argument he seems to conclude that deliberate reproductive restraint is hardly necessary. But is his reasoning conclusive or likely to be acquiesced in?

Doubtless man's small fertility when compared with other animals is in correspondence with his higher rank in the zoological scale; and doubtless this small degree of fertility has, as in other animals, been produced by the action of Natural Selection: but it seems to me that its continued diminution will be effected in a different way from that in which it has hitherto been produced, and it is this consideration that I conceive Mr. Spencer has overlooked. He allows that the law of diminishing fertility is itself a result of the action of Natural Selection; is he then prepared to let this power continue its operation, unmodified, on man? In that case, instead of exercising any reproductive restraint, men and women should go on producing as many children as they can, breeding, in fact, just like other animals, heedless of the consequences that must result to their offspring. After they have given their children some sort of start in life (if, indeed, even to do that should remain possible), they should then leave them entirely to their own resources, not assisting them if they fall into poverty or want, but allowing them mercilessly to starve, according to the law of Natural Selection; nor aiding them in sickness, but permitting them to die at once, and so make room for stronger and healthier specimens. This is the way Natural Selection acts, and it is through this mode of action that the respective degrees of fertility possessed by animal organisms have been established, and this is the mode that Mr. Spencer apparently thinks must gradually diminish the present degree of fertility of the human race. Certainly it would, if it were allowed to act; but men will never suffer Natural Selection thus to operate. They will never permit the poor to die of open starvation, nor the sick to perish without any effort to save them; and in order that they may be able effectually to counteract the cruel action of Natural Selection, an inevitable condition is the exercise of reproductive restraint, deliberately limiting their numbers to such a degree that the struggle for existence will not be so severe as necessarily to entail

premature death to any. It is in this way that the actual rate of human multiplication will diminish as man advances in cerebral development, and not by the direct and immediate diminution of his reproductive powers, as possibly happens in the evolution of other organisms. It may be that his fertility itself will ultimately diminish with progressing civilization, but, if so, this will be a secondary result, it will be due to a diminished exercise of his reproductive glands, which, like other organs, will atrophy in proportion to their lessened use. With regard to man's powers of multiplication, Natural Selection will act in the same way as it acts in reference to other characters of his frame—namely, primarily and chiefly on the mind, and only secondarily, and through this action, on his fertility.

Is our conclusion then admissible that man's moral restraint will ultimately be such that he will voluntarily limit his numbers to such a degree as reason and humanity dictate, thus taking from Natural Selection its universal property of inflicting premature death? Man, we are often told, differs from other animals by the possession of reason; this reason, we have seen, has enabled him to arrest the action of Natural Selection on his physical form and structure, why should it not enable him to arrest its action in bringing untimely death to the majority of his race?

Another of the main characteristics of the action of Natural Selection on any species, is that it destroys the weak and sickly, and leaves only the strong and healthy to propagate their kind. In the case of man, however, this effect also becomes modified as soon as his social sympathies have been developed; for these feelings will not permit him to let the weak and sickly die without a finger being raised in their behalf, but impel him to do what he can to keep them alive. Thus the weak and sickly are preserved to propagate their kind, and to transmit weak and sickly frames to their offspring. In this the action of Natural Selection is entirely controverted, and evidently to the deterioration of the race. Is any remedy possible, and, if so, what is it?

We have already seen that man has taken from Nature most of her power to modify his own frame, is it too much to expect that the power which he has thus taken from Nature he will himself assume? We have seen that with respect to other organisms he is supplanting Natural Selection by Human Selection; but is it only over other existences that he may exercise this power? Is it only in the case of plants and animals that Natural Selection is to be thus superseded? Shall we by Methodical Selection improve the breeds of our domestic animals and the varieties of our cultivated plants, and shall we not care to avail ourselves of our newly acquired power to maintain, and if possible to increase, the beauty, the health, and the

vigour of the human frame? It seems indeed evident that having arrested the action of Natural Selection, as far as our physical organization is concerned, if we stop at this point and do not replace it by any substitute, the race *must* degenerate, for it is this power that keeps every species of animal healthy and vigorous.

The economists have taught us that poverty and pauperism, with the disease and crime they entail, can only be eradicated by reproductive restraint. But medical men know that this is not enough to eradicate *all* disease. They know that although there are many diseases due to poverty, with its insufficient food and clothing, its overcrowded and ill-ventilated dwellings, its overwork and its hopelessness, there are other diseases that would remain after all these were abolished. There are diseases which no sanitary laws, as usually understood, can reach—diseases ingrained in the constitution itself, inherited for the most part from the parent organism. Gout, for example, and syphilis, cancer, and insanity in all its forms, epilepsy and all other nervous affections, these and numberless other constitutional maladies have no necessary connexion with poverty, and these would still remain. There is something more therefore necessary for the rooting out of disease than the mere limitation of numbers. Need it be said, that from all malformations and congenital defects, and from the endless forms of hereditary and constitutional taint against which the physician so often contends helplessly and hopelessly; that from these humanity can never be delivered unless those that suffer from them religiously abstain from transmitting their tainted or defective constitutions to others?

In a suggestive lecture recently delivered before the Royal Institution, and published in the *Fortnightly Review* for August, 1869, Dr. Bridges, an able disciple of Comte, has discussed both the classes of disease which I have mentioned, without, however, being sufficiently explicit as to the remedy or remedies he proposes. The problem of health, he remarks, "is unquestionably the greatest, or all but the greatest, that can possibly be presented to human thought."

"With animals, and also with savages, the spontaneous play of physical and of vital forces leads to an enormous waste of life in its primal germs, or in its half-developed phases. Of the ova of the fish, one perhaps in a million is born; and of those that are born, one perhaps in ten thousand reaches maturity. But those that do reach maturity are, in the long run, and on the average, the strongest; and these live to propagate a breed stronger than their fathers. This is what happens when things are left to take their natural course; and there were nations in antiquity, as there are tribes at the present day, who did not hesitate to assist that course by deliberate infanticide. How stands it then with nations whose religious faith, whose trained instincts of humanity, lead them to the opposite course of revering and preserving the sickliest and weakest human life? Was not Plato right in his antipathy to physicians? Do we run no danger in our

excessive medical and sanitary care of unhealthy lives, of deteriorating the offspring, of sacrificing the future to the present?" . . . "I believe," he continues, "there can be no doubt whatever that the danger is very real and very great. . . . But to Nature's savage, cruel methods of course we cannot recur. . . . We cannot go back, therefore if we would avoid death we must go forward."

He nowhere, however, states with sufficient distinctness how this "very real and very great" danger is to be avoided; and he concludes thus:—

"There are two modes in which evils like those I have been speaking of to-night are cured. The one is the spontaneous play of physical and animal forces, the fierce competitive struggle for existence, which sweeps the weak and the diseased away; the other is the conscious direction and modification of those forces by the wisdom and the foresight of humanity."

Probably in this he alludes, as far as hereditary diseases are concerned, to the very remedy I have stated above, the only remedy that seems to me thoroughly effectual; and I am strengthened in this interpretation of his meaning by the fact that Comte, as far as I remember, distinctly lays it down as a principle which ought to guide the conduct of every good Positivist, that if he unfortunately himself possesses a tainted or anywise defective constitution, it is his bounden duty to refrain from bestowing it upon another.

Another remark of Dr. Bridges is highly illustrative of our present subject. It is this, that "one of the most striking characters that distinguish man from the other vertebrates is his liability to disease." Now, this fact may be partially explained by the obvious consideration that the more complex and intricate an organism is, the more liable must it be to be put out of order; but something more than this is required to account for the multiplicity of diseases to which man is subject. When, however, we reflect that the weak and the sickly at present feel no compunction in breeding just as freely as the strong and the healthy—a circumstance which never happens under nature—we find a complete explanation of the fact, and see indeed that multiform maladies must necessarily follow.

Is it then too Utopian to expect that at some future day the strong and the healthy only will marry and multiply; the deformed, the weak, and the sickly will conscientiously refrain; and that Natural Selection will not only be arrested, but that Rational Restraint will take its place, and that thus health and vigour, both of body and mind, will become greater and greater in each succeeding generation?

If the theory of Mr. Wallace already expounded be correct, it affords us an answer to another problem—a problem that has presented itself to many minds. Reflecting on the many changes in organic form which have taken place since the first dawn of

life upon our globe ; on the succession of animals and plants that the page of geology discloses ; on the disappearance of some species, and the rising of others,

“Till at the last appeared the man,”

many have asked themselves, “But is man the last ? Is he not merely the precursor of some higher form ? Why should Nature’s evident course be stayed by him ?” If the views, however, already stated are accepted, I think it will be allowed that man *is* the last, that Nature’s course *will be* stayed in him ; and that, as far as merely physical life is concerned, he may be said in some measure to reign in Nature’s stead.

But if Natural Selection is to be banished from its dominion over physical life, there is still a large sphere in which it will rule supreme. Over man’s bodily frame it may cease to exercise sway, but over his mental, his moral, and his social nature, it will still be the presiding power ; moulding his institutions, forming his sentiments, and dictating his beliefs.

As the reign of physical force declines, and the reign of moral force advances, the nation that possesses such social institutions as best tend to promote the physical and moral health of its members, to make them strong in body, vigorous in mind, and noble in action, and to exclude from their midst all physical and moral disease, the presence of which even in but a few is incompatible with the complete health of the rest ; that nation will see its institutions slowly adopted by others ; will see them, like a dominant species of organisms, gradually spread over the globe, supplanting and superseding inferior forms. Even already is visible in the different nations this struggle for existence between various constitutions of society—various forms of social organization ; and it cannot be doubted that ultimately the best will be preserved and disseminated, the others will give way and disappear. Instances of such selection under the military *régime* are numerous ; I need only mention one—the subjection of Greece by Rome. The Greeks were equal to the Romans in physical development, and far superior to them in intellectual power, and yet had to yield to the latter the supremacy of the world ; and the reason is obvious. The social system of Rome was one that welded the citizens into a great and harmonious whole, against which the selfish and isolated states of Greece were shattered at the first collision.

In regard to the moral sentiments, too, Natural Selection will continue to be the guiding power ; for that nation in which justice, honour, prudence, self-reliance, and public spirit are the characteristic qualities of the citizens ; that people in whom the “Enthusiasm of Humanity” is most strongly developed ; in whom regard for the common weal not only possesses a merely negative power over the conduct, but is the ruling passion of the

life, a passion to whose service every faculty of mind and body is devoted—that nation will be “the chosen people” of Nature, and will insensibly and unconsciously give laws to the rest of the world. Its influence though silent will be supreme, and its character and spirit will slowly permeate every nook and corner of the earth.

In determining the speculative opinions of mankind, many will doubt and some will deny, that Natural Selection has the same influence as over their social institutions and their moral sentiments. If, however, we consider how it is that the theological opinions of the past should be slowly dying out before the scientific opinions of the present, we are forced to the conclusion that it is because Nature selects the latter, and confers upon them and their holders all her favours. If it is asked how it was that the fetishism of humanity’s childhood should have been supplanted by the polytheism of its youth; or how it was that the polytheism of its youth should have given way before the monotheism of more recent times; many are satisfied with the reply, that it was because each succeeding phase of belief was nearer to the truth than its predecessor. But truth—absolute truth—is an impossibility and a dream; and the beliefs of the present age are just as certain to be modified in the future, and probably to as great an extent, as have been the theological beliefs of the past.

It is a favourite psychological theory at the present day that all knowledge is due to an accumulation of experiences. This is far from being a new theory; but the additions it has received at the hands of Mr. Spencer constitute a new era in its history. According to this author, the experiences, to the accumulation of which all beliefs are due (disregarding those adopted on the testimony of others), may be either experiences of the individual himself, or of a greater or smaller portion of the whole line of his ancestors—animal and human. Experiences, it is supposed, when sufficiently often repeated generate ineradicable beliefs, and these become organized as it were in the brain; and the modification of cerebral structure thus produced, and representing these beliefs, is inheritable and capable of transmission to others; so that the totality of our beliefs (exclusive of those above mentioned) is due partly to an accumulation of our own individual experiences, and partly to the inheritance of such a constitution of the brain as represents the organized beliefs of our ancestors. The beliefs that we thus inherit, being at first latent, require indeed some stimulus from without to call them into activity, but do not require to be built up by the same laborious accumulation of experiences by which they were originally acquired. The most prominent of these are known as innate or intuitive beliefs.

The experience hypothesis, even with this ingenious extension,

seems still defective; for it may be remarked, that while all beliefs are due to experience, all do not become permanently organized. Most are after a time rejected, and it is only a small residue that are permanently preserved and worked so deeply into the tissue of the brain as to affect the congenital organization of that organ in every succeeding generation. The theory therefore requires to be supplemented by an answer to the further question, How is it that some beliefs are preserved and rendered permanent, while others have only been temporary and are now rejected? And to this question the answer seems to be, that it was under the influence of Natural Selection that the former were preserved and perpetuated, as being uniformly favourable to the welfare of the individual or the community; whilst the others, not being permanently favourable, have been only temporary in their existence, have appeared for a time, but afterwards have died out, and are now, to distinguish them from the others, called *false*.

All that we can legitimately mean when we say that our modern views of the universe are truer than those of antiquity, is that they are such as give us more power over Nature—enable us more to modify her various phenomena; or if those phenomena, like the moon in her sphere, or the earth in its orbit, are beyond our power to modify, they are such at least as enable us better to foresee their action, and to guide our conduct accordingly. As in an animal every variation of structure or instinct selected by Nature is such a variation as brings the organism into greater harmony with the conditions of its existence; so in man every mental modification—every cerebral change—that brings him into greater harmony with the surrounding universe, is similarly selected. To-day, it is the teachings of science that are thus selected; they are preserved by Nature and accumulated; they are the dominant teachings of the age, supplanting and superseding the others. But in coming years they too will undergo modification; variations of opinion will arise hereafter as hitherto; but favourable variations, such only as increase man's power over Nature, or enable him better to adapt his conduct to her course, these alone will be selected and preserved; unfavourable ones will pass away and be forgotten.

Such seems to be the mode in which Natural Selection determines human beliefs; and this process of what we call widening knowledge will probably continue until man himself and the globe he inhabits are again reduced into the elements from whence they sprang.

CONTEMPORARY LITERATURE.

The Foreign Books noticed in the following sections are chiefly supplied by Messrs. WILLIAMS & NORGATE, Henrietta Street, Covent Garden, and Mr. NUTT, 270, Strand.

THEOLOGY AND PHILOSOPHY.

BUNSEN'S great work, "God in History,"¹ of which the third volume of the English translation is before us, is necessarily disappointing to most readers. It is ill articulated, the parts are cumbrous, and the author's brightest thoughts appear as if seen through a mist. The special purpose of the present volume is to show the progress in the world of Religion, properly so called, since the combination into one theology of the Jewish and Aryan elements, and especially to exhibit the agency of the conceptions so obtained in the peoples of Aryan race. Bunsen was quite aware how extremely shocking to the traditional notion of a supernatural Revelation was the hypothesis of a divine yet natural order in the progress of the human race, thus illustrated in its most eminent branches; and he was too anxious to soften the shock and to put forth reconciliations which were damaging to his own theory and entirely unsatisfactory to the orthodoxy which he wished not to alarm. His theology and Christology could never be expected to pass muster with dogmatists who had formed themselves upon Nicene and Athanasian Symbols: his Trinity is certainly Sabellian rather than anything else—that is to say, Jewish. And although it was his set design to glorify the Aryan factor in the generating of the religious consciousness of the highest type of men, he lays little or no stress, in estimating progress or retrogression, upon the distinguishing characteristics of the Aryan and Semitic forms of thought regarding the Supreme Being. For the Aryan conceives of the Deity as all-pervading and multifarious in his immediate action; the Semitic, as of a God dwelling in the Heavens, but far seeing and with a long arm. And to one who would look dispassionately at the question it is evident how preponderatingly the Jewish conception has prevailed in all ages of the Christian Church down to the present day. Moreover, as to a still future action of the Aryan race upon the Judaized West, Bunsen does not seem to have entertained any anticipation of it. It seems to have escaped him that in Hindu religion, overlaid as it is with gross symbolisms and superstitions, though not more overlaid relatively speaking than Papal and Oriental Christianity, there are fundamental conceptions of the Divinity which

¹ "God in History; or, the Progress of Man's Faith in the Moral Order of the World." By C. C. J. Baron Bunsen, D.Ph. D.C.L. and D.D. Translated from the German by Susanna Winkworth, Author of "Niebuhr's Life," "Tauler's Life," &c. With a Preface by Arthur Penrhyn Stanley, D.D., Dean of Westminster. In Three Volumes. Vol. III. London: Longmans. 1870.

are more self-consistent than those which are usually presented to us of the Christian Deity. The Hindu Trinity of the Creator, Destroyer, and Regenerator is perfectly coherent; the function of each agent implies the other, and the unity is complete. But in the Christian Trinity there is a gap between the Creator and the Redeemer: there can be no redemption unless there has been a loss, and this is attributed in the Judæo-Christian creed to the operation of a being (Satan) outside of the Deity, but functioning within the created universe; the Christian doctrine implies and requires him, but is ashamed of him and keeps him out of sight, and the creeds never mention him. We might instance, also, in the Christian doctrine of the Resurrection of the Body, which is even called in the baptismal creed of the English Service the Resurrection of the Flesh, the prevalence of the Semitic over the Aryan conception of the life of the world to come. So that in fact the history of the Christian Church has presented on the whole a struggle of the Semitic and Aryan elements, to the disadvantage of the latter. And this will be evident to any one who traces the growth of the ecclesiastical and dogmatic systems from the immediately post-apostolic age, and then in Bunsen's own history observes how few they are whom he can produce as great witnesses to the kingdom of God and true religion down to the era of the Reformation. Even from that era to the present time the repressive Jewish ideas of Sacrifice and Priesthood have not only strengthened themselves in the Roman and Oriental Churches, but have neutralized, or as nearly so as possible, the free principles of the Reformation in the Lutheran and Anglican Communions, and keep in spiritual bondage the ecclesiastically free communions of the dissident Churches. Bunsen endeavours to show that in recent times we are gathering the fruits from seed sown by the great Reformers. It is only so in a very limited sense. They were themselves deficient in insight into the principles for which we are disposed to give them credit, which at all events in the Churches founded by them have remained practically sterile. For the critical, historical, and scientific methods which in our own day are working such rapid changes in Christianity, or it may be thought even disintegrating it, are not the offspring of the Lutheran Reformation any more than they are of Roman Catholicism; they are the offspring of the secular intellect, as it is called, but not therefore other than divinely inspired, working under new conditions of observation favourable to the discovery of truth in all departments, and from which no subject-matter whatever can be withdrawn. Bunsen, in attempting to trace the progress of religious conceptions in history, and the immediate operation of the Divine Spirit in producing them, was misled throughout by his tendency to an inordinate worship of his spiritual heroes. Some of these are mere shadowy exaggerations as seen through the mist of ages, such as Abraham, Moses, Elijah; others are distortions of historical personages, as Luther himself. For that which really distinguishes the religion of the Westerns of Aryan stock when not overlaid by the Semitic influences, and which will distinguish more and more the religion of the future from the Christianity of the past is, that it is determined by

a consensus of sentiment and conviction, not revealed by a few great prophets. In stating generally what he calls the results of the Reformation, Bunsen arrives at a conclusion not very dissimilar from the above, and the chief exception we take to it is, that it is not consistent with his hero-theory, and Luther and Calvin themselves never dreamt of anything of the kind. The most characteristic of the thoughts and beliefs in which all the Reformers of the sixteenth century are said by Bunsen to agree are, however, particularly summed up by him in the five following propositions :—

“FIRST PROPOSITION.—*The Congregation in the full sense of the word, the ‘whole company of faithful people,’ and not the clergy alone, constitute the Church.*

“SECOND PROPOSITION.—*The whole Church as thus defined is the depositary of man’s consciousness of God in the public worship of Him.*

“THIRD PROPOSITION.—*The collective Community, in its national capacity, ought to represent a People of God.*

“FOURTH PROPOSITION.—*There is no difference between spiritual or religious acts (so-called ‘good works’) and secular acts.*

“FIFTH PROPOSITION.—*A personal Faith is the condition of inward peace in God. But this personal faith necessarily involves free convictions, and therefore free inquiry and free speculation on the results thereof, though carried on under a sense of responsibility to God; and this again presupposes freedom of conscience and of thought.*”—(pp. 199-201.)

Exception may, we think, be taken to nearly the whole of the above propositions. For the starting point with the two great Reformers was not in fact what Bunsen calls the “Gemeinde,” but the individual; the individually elect and assured with the one, and the individually justified with the other. Nor is it historically allowable to confound the Lutheran doctrine of Justification by Faith with a personal Faith in the Divine Order or Moral Government of the world, and thereupon assume this to have been a principle of the Reformation. For the doctrine of Justification by Faith, the *articulus stantis aut cadentis ecclesiæ* of the Reformation, implies a personal faith in the efficacy of the blood of Christ as shed for the cleansing of the sins of the faithful individual. It involves a supposition as to the Divine Government the most contrary conceivable to that of a Moral Order. It is true that this notion of the shedding of innocent blood as a propitiatory sacrifice for sin is common both to the Unreformed and Reformed Churches, though the efficacious application of it to the benefit of the individual soul is supposed in the one case to be operated by the intervention of a supernaturally constituted priesthood, in the other immediately by personal faith. Nevertheless, in this respect the doctrine of the Reformation is substantially no better than that of Catholicism. And as this hypothesis lies at the root of, or is intimately connected with, all or almost all forms of Christian doctrine even from Apostolic times, it is easy to see what an enormous impediment has through so many ages prevented the Christian Church from becoming a consistent witness to the Moral Order of the Divine Government. And no wonder that the individual witnesses producible by Bunsen from the whole range of ecclesiastical history are so few and far between. Till we come to Schleiermacher, nearly at the close of the

book, we meet with no example of a spiritual hero who wrought himself really out of the trammels of the immorally conceived Christianity; that he did so, is the more to his glory as he was bred in the very bosom of the *blut-theologie*. Luther himself was rather an insurgent than a Reformer; his entire incapacity for grappling with the deeper theological problems, or of conceiving a moral order in the spiritual universe, may be understood from the following extract from the "Table-talk," with which we must conclude:—

"One asked Dr. Martin whether the word 'harden' is to be understood literally, just as it stands, or after a figurative and metaphorical fashion? Then he answered and said, We must understand it literally but not actually, for God works and does nothing evil, but through his Almighty power he works all things in all, and as he finds a man so does he work in him. Thus with Pharaoh, who was evil of nature, it was not God's fault but his own that he always continued to be evil and to work evil. But he was hardened in this sense, that God did not hinder his impious undertaking by his spirit and grace, but let him go on and take his own way. But why God did not hinder or prevent him, it is not meet for us to ask, for that little word 'why' has led many souls away to their perdition. It is too high for us to explore."—p. 242.

When it is taken for granted, or as sufficiently proved long ago, that more than eighteen hundred years since a mighty Divine interference took place for the salvation of the human race, it seems to follow consistently enough, that continued miraculous or quasi-miraculous effects may be continued from it throughout a succession of ages. If the Christian Church originated in the supernatural manifestation upon Earth of a Divine Being, it might be expected that its history should be marked by wonderful interventions from time to time, or that there should be deposited in some functionaries a treasure of wondrous gifts—in short, that the course of its history would not fall into the order observable in other merely human history. On the other hand, if the sequel of the Christian history presents appearances which can be accounted for by supposing the operation of natural causes only, the presumption will become very strong that the origin itself of the religion is to be found in the operation of natural causes also. Hence the great reluctance on the part of ecclesiastics generally to acknowledge that the history of religion is a part of ordinary human history, and exemplifies a like concatenation of causes and effects to that which is traceable in what is usually distinguished from it as secular or profane history. Mr. Cox's "*Latin and Teutonic Christendom*,"² is valuable as presenting this result clearly in a somewhat popular form. The work of Dean Milman, from which the present historical sketch is in great part derived, is too bulky and comprehensive for general perusal; perhaps even Mr. Cox is too copious in his allusions and presupposes too much knowledge in his reader. We should also have desired the portion of the book devoted to Teutonic Christianity to have been more fully worked out. The contrast is well illustrated between the speculative East

² "*Latin and Teutonic Christendom. An Historical Sketch.*" By the Rev. George W. Cox, M.A. late Scholar of Trinity College, Oxford. London: Longmans. 1879

and the practical and politic West ; also between Eastern and Western Monachism : popular views of the life and work of Mahomet and of the relation of Mahometanism to Christianity are well but briefly criticised. We should have been glad to see the peculiarities of Teutonic Christianity more dwelt upon and traced as far as possible to the peculiarities of the Teutonic race itself and the habits and history of the Teutonic peoples. There were from the very first certain dispositions in these nations to resist dogmatism, as was evidenced in the fact that the Goths would only receive Christianity in its Arian form ; and the contests in the mediæval times between emperors and popes and kings and bishops were the result of deep-seated native resistance to ecclesiastical supremacy. But it was to the great disadvantage of Teutonic Christianity that at the first conversion of those nations the laity were necessarily in so subordinate a position—they were as yet only in a semi-civilized state—they were really powerless against their Roman instructors, and Christianity was imposed upon them when it had already become a hierarchical system. Augustine and his monks had their own way in Saxon England, and Boniface, the Apostle of the Germans, dotted the fatherland with episcopal sees in strict subjection to himself, and through himself to the pope. Thus the ecclesiasticism had acquired a vantage ground from which the people have never yet been able to shake themselves free. The traditional authority of the Roman priest has been transferred in a modified form to the Lutheran or Anglican clergyman, and to the Presbyterian or Wesleyan minister. Nevertheless, Mr. Cox is right in giving the German peoples the credit of being the only nations among whom toleration has as yet at all taken root. The comparative readiness with which it has done so may be attributed to peculiarities of national character derived from the domestic and tribal habits of the original stock. The German people has, moreover, far beyond any other, shown itself both capable and fearless in the highest degree in the investigation of truth. From the combination of these two qualities our best hopes arise for the future of Teutonic Christianity. Mere toleration degenerates into a fruitless latitude, indifferentism and Pyrrhonism—"there is nothing new, there is nothing true, and it does not much matter." True toleration is mutually demanded and conceded in the midst of differences as a necessary condition for the ascertaining of truth.

The natural history of religion is rapidly advancing itself to the rank of an admitted science. Opportunities of extended observations of various now existing religions, and improved means of interpreting the religious records of generations which have passed away, have concurred with the loosening of many prejudices to render such a science possible. So long as the Religion of Israel, including its offshoot, Christianity, was held to be the only religion properly so called, comparison was not possible. A religion assumed to have been supernaturally revealed was thereby assumed to be more than pre-eminent, to be unique. The excellences, moreover, of Judaism and Christianity are now found to have their counterparts in other systems ; and at the same time there are found in the theologies derived from the religious conceptions of the Hebrews features which have generally been supposed to be peculiar to

heathenism. And further, all religions alike exhibit a history on the world's platform and a process of growth. It is true, therefore, of the "Religion of Israel,"³ as Professor Kuenen observes in the introduction to his work, so entitled, that it is nothing more, but at the same time nothing less, than one religion among many. When viewed in this light, an acknowledged superiority will be conceded to it by many who must refuse to recognise it as an exceptional or miraculous revelation. Such undertakings, therefore, as those of Professor Kuenen in his larger work, on the "Origin and Collection of the Books of the Old Testament,"⁴ and in the present treatise, are conservative in the truest sense of the word. Profoundly imbued with the Hebrew literature, the learned Professor would assign to Judaism the highest grade possible consistently with the truth of history. But this greatest eminence can only be shown to have been attained by a process of spiritual development and growth. Herein the author finds himself in opposition not only with the traditional theologians who assume a revelation to the Jewish people, including in itself germinally the Christian revelation also, to have been given to Moses perfect and complete, but also with hasty speculative thinkers who would attribute to the Semitic races a peculiar natural aptitude for, and instinctive apprehension of, monotheism, and who have thence inferred the purity of the Jehovah worship in the Mosaic and even in the Patriarchal times. Undoubtedly, if the Pentateuchal writings could be proved to have been produced in the period of which they profess to relate the history, the religion of Israel was as pure a monotheism in the time of Moses as it ever became afterwards. But the composition and compilation of these books being anonymous, their dates require to be established upon independent considerations, and for the most part must be inferred from internal evidence before their testimony can be received as historical. The other historical books of the Old Testament down to the era of the Captivity are in like manner anonymous, and in all probability were subject to repeated revisions. Thus the whole of the historical writings, including those commonly attributed to Moses himself, must be checked as to the account they give of the history of the Jewish religion with reference to some less debateable standard. The Davidic authorship even of a few of the Psalms is very uncertain; so that such standard cannot be sought for at the earliest before the time of the earlier prophets, as, for instance, Amos and Hosea. In the former of those prophets especially, there are certainly frequent references to the Exodus, and even to a forty years' wandering. There is, however, not the slightest confirmation to be found in detail of the Israelites having spent that period in their passage from Egypt to Canaan against which the internal evidence is so strong (Amos ii. 10, v. 25); nor are the miraculous events connected with the transit, or the particulars of the Mosaic Law, at all confirmed by anything to be

³ Dr. A. Kuenen. "De Godsdienst van Israel tot den Ordergang van den Joodschen Staat." Eerste Deel. Haarlem. 1869. London: Trübner.

⁴ "Historisch Kritisch Onderzoek naar het Ontstaan en de Verzameling van de Boeken des Ouden Verbonds," d. A. Kuenen. Leiden: 1861-65.

found in the prophets now mentioned. In fact, the whole of the Hebrew literature serves to contradict an assertion not unfrequently made—namely, that the entire subsequent history of the Jewish people is reduced to fragments and becomes unintelligible, if the authenticity of the Mosaic legislation, as Mosaic, and the miraculous details connected with it, be given up. On the contrary, the Jewish history and the growth of the Jewish religion become much more intelligible if we avail ourselves for a starting ground of the data furnished us in the prophetic writings. The opposing theories, indeed, coincide in this, that the worship of Jehovah only became supreme after a long conflict with Baal-worship and with polytheism; so that the question seems narrowed to the question, Was the ultimate supremacy of Jehovism a restoration, or not, of a belief and worship previously prevalent, but for a time only overlaid? If the Pentateuch could be ascertained on independent grounds to have been the work of Moses, and the legislation therein recorded to have been laid down before the occupation of Canaan for the government of the Jewish people in Church and State, the answer might follow in the affirmative. But if there is no sufficient evidence, internal or external, for the genuineness of the books attributed to Moses, if the internal evidence is on the other hand strongly against the Mosaic authorship, if direct statements of the prophets, confirmed by numerous incidental notices in the historical books, represent Israel as polytheistic and idolatrous from the earliest time at which it became a nation—at least with strong polytheistic and idolatrous tendencies, and as containing within its bosom organized polytheistic and idolatrous parties—then we must conclude the representations of the Pentateuch concerning the institution and acceptance by the collective Israel of the Jehovistic worship, and of the civil and ceremonial system by which it was to be guarded, to have been the invention of some later age. And thus the history of Israel, so far from being dislocated or rent in pieces, becomes perfectly consistent as the record of a continual improvement on the whole, and of a development, in the favourable sense of the word, of the religious conception of the Deity and of the religious sentiment in the Jewish people. Towards effecting this development there were two principal factors, sometimes acting in unison, sometimes in partial opposition—the prophetic and the sacerdotal. And there is no more interesting subject of investigation, when conducted on the historical method, than the process by which at length, after many struggles, and not before the time of the Captivity, the religion of Israel cleared itself into a pure monotheism. It is not enough, however, to characterize the religion of Israel as simply monotheistic in contrast with polytheism. It is remarkable also for the moral character which it assigns to the Deity. Undoubtedly this moral character is drawn in the Old Testament writings, sometimes in coarse, sometimes in wavering lines; nevertheless, the ethical characteristics of Jehovah, unworthy as they frequently are of the Divine Being, are unmistakably distinguishable from the dynamical attributes of the nature-deities. The more refined conceptions, of this moral character obviously indicate a later stage of theological development; and when met with in the Pentateuch, as, for

instance, in the book of Deuteronomy, they show that it belongs, in those portions at least, to the prophetic period, and not to the age of Moses. There cannot be an abler guide for those who would trace the development of religious ideas in the history of Israel than Professor Kuenen. He exhibits in his various works a rare union of courage and caution; utilizing in the most effective manner the results of a most searching criticism in the service of the science of religion. It would be as absurd to stigmatize an accurate investigation of the earth's crust, with a view to distinguish its various component strata, and to ascertain the actual order of their deposition, elevation, or dislocation, as if it were dishonouring to the Creator and dangerous to true religion, as to detract, out of any dogmatical prepossession, from the high merit of Professor Kuenen, both as a thorough critic on the field he has chosen and a most able communicator of his results. The present volume conducts us to the verge of the Captivity; the sequel, which it is hoped will be published in the course of the current year, is intended to complete the history of the Religion of Israel down to the fall of the Jewish State.

"*Le Roi des Juifs*," by M. Rodrigues,⁵ is directed to a specific purpose of ascertaining as clearly as possible, from the surviving evidence, the real motive for the condemnation to the death of the Cross of Jesus Christ. For undoubtedly in the accounts of the Evangelists, as they remain to us, there are many things which are not easily reconcilable with each other, and many which cannot readily be made to square with what we know of the nature of the Roman dominion in Judea at the date assumed. It is obvious from the statements of the Acts of the Apostles (iii. 1; xiii. 14), confirmed by other early testimonies, that in the first Apostolic generation, and even later, Jews were not held to be severed from the congregation, or excluded from the Temple or Synagogues, by the fact of their being Christians. But it is not easily conceivable that the followers of one who had been solemnly condemned by the Priesthood as a blasphemer, for making himself the Son of God, and whose death had been procured in consequence from the supreme authority of the Roman Governor on the ground that "we have a law, and by our law he ought to die, because he made himself the Son of God" (John xix. 7), should have been so admitted without scruple to the privileges of other Hebrews. Nor is it at all likely that a Roman Governor would have paid much attention to any allegation of blasphemy against Jesus, or have lent himself to a merely colourable charge of "speaking against Cæsar," if he had not felt himself really constrained to treat Jesus as a political offender. We cannot say that M. Rodrigues has been quite able to make out his case; and it may not become possible so to disentangle the narratives which we possess of that catastrophe as to arrive at the real historical truth concerning it. But this at least should be borne in mind, that when the accounts were put together, the Christians were already severed, or nearly so, from the Jews, while it would still not be wise on the part of the Christians to exhibit the Romans in any very odious light.

⁵ Hippolyte Rodrigues. "*Le Roi des Juifs*." Paris: 1870.

If the circumstances of the time and the conflicting evidence are regarded in this way, the more probable conclusion will be, that Jesus was put to death by the Roman Governor on grounds solely of Roman policy; because it could not be permitted to any one to set himself up as King of the Jews, however fanatical he might be, and however really harmless his own personal objects. Pilate could not be expected to inquire whether, in asserting himself to be King of the Jews, Jesus had or had not spiritualized the conception of Messiah.

M. Laurent's volumes⁶ are rather cumbrous in form, but their purpose is so thorough, and the arrangement of their contents so good, that their amplitude must not be quarrelled with. Some diminution of their effectiveness would ensue if it were attempted in any considerable degree to compress their material. The undertaking of M. Laurent in the present volume is twofold. 1. To show that Catholicism, and what may be called orthodox Christianity, is no longer tenable as the religion of humanity; and 2. That nevertheless a religion of humanity, including the conceptions of God, the soul, and individual immortality, is possible. The old Christianity is no longer tenable, for two principal reasons. First, because it rests on authority and tradition supposed to have originated in, if not to be continually guaranteed by, a supernatural interposition. Such an assumption necessarily contradicts the inmost convictions of mankind in the present age; and it is in vain that either Romanists or orthodox Protestants, assuming a liberal air, assert the perfect compatibility of the exercise of Reason with what they call Faith. For what they say amounts to no more this: Yes! examine; but your examination will be valueless unless it issues in a particular conclusion. Yes! you must, according to the Apostle, "prove all things," but "hold fast that which is good," which can be no other than what the Church teaches. Then, secondly, the Christianity of dogma and miracle ceases to be receivable by large numbers who do not enter at all in an abstract way into the question of the obligation, or non-obligation upon the conscience of a tradition claiming Divine authority. They recoil from the contents of the alleged revelation by reason of their intellects having been educated to a different conception of the Divine Universe and of the Divine Government from that which is supposed in large portions of the Biblical writings, and in the old ecclesiastical Creeds and in the orthodox Protestant Confessions. The western part of Europe, to say the least, cannot much longer be held in the thralldom of a supposed belief of a Fall of Adam and of Original Sin, of an Incarnation as described in the first chapters of Matthew and Luke, of a Scene of Judgment at a "last day," and in an everlasting Hell. In what then will the New Protestantism consist? Will not all religion worthy the name perish with the rejection of the Biblical Creation, Fall, Redemption, Heaven and Hell? By no means. For a Deity ever working, and in all, is an object more worthy of adoration by a reasonable being, than one

⁶ "Le Catholicisme et la Religion de l'Avenir," par F. Laurent, Professeur à l'Université de Gand. Deuxième Série. Paris: 1870.

making a globe in six days and resting on the seventh ; a sense of sin or moral defect, with all its salutary promptings, is quite compatible with a disbelief of the Fall of Adam as a historical fact, or of the doctrine of guilt or curse derived to all mankind from him ; redemption from the power of moral evil and "the answer of a good conscience" towards God does not require to be founded on a faith in a transcendental propitiation of the Divine Being accomplished by the death on Calvary : nor, finally, does a conviction of such a connexion between this world and a world to come, as that "whatsoever a man soweth" here, that "shall he reap" there, imply a Heaven and a Hell as preached in the orthodox Churches. And here we touch upon a capital point :—

"Nous ne disons pas que les libéraux protestants n'ont aucune croyance, mais ils ne s'entendent pas sur ce qu'ils croient, et malheureusement le désaccord porte sur des points essentiels. Ce qui tourmente le plus l'homme c'est sa destinée ; il veut savoir d'où il vient et où il va. Pourquoi les protestants avancés gardent-ils le silence sur la vie future ? S'ils n'ont rien à dire sur ce point, ils prêcheront dans le désert ; ceux qui éprouvent le besoin de croire préféreront la réponse quelle qu'elle soit que leur donne l'Eglise au doute ou à la négation. Car il y a doute, il y a négation dans les rangs du protestantisme avancé. Ici nous touchons au mal qui ronge le protestantisme tout ensemble et la société moderne. La solution du christianisme traditionnel ne suffit plus, mais elle ne sera abandonnée, que lorsque la religion de l'avenir en aura donné une autre qui satisfasse notre conscience, notre cœur, et notre raison. Que les protestants avancés y réfléchissent : les vieux temples resteront debout, tant qu'il n'y aura pas de temples nouveaux prêts à recevoir l'humanité. Et si dans les temples nouveaux on prêchait, que l'homme n'a pas d'autre destinée que celle qui s'accomplit dans les quelques heures de son existence terrestre, ces temples seraient bien vite désertés."—p. 492.

The exposition given in a subsequent part of this volume of a theory of the world to come, to replace the traditional doctrine of a fixed Heaven and Hell, forms the strongest, and, in some sense, also the weakest part of the doctrine of this New Protestantism. M. Laurent refers to the doctrine of Restoration as held by many of the Greek Fathers, and more particularly to the aspect of it to be found in Gregory of Nyssa. The doctrine of Origen, less consistent with itself, seems to contemplate the possibility of lapse—of an infinite succession of lapses and restitutions. M. Laurent says :—"Nous croyons à une vie progressive sous l'inspiration de Dieu. Les catholiques se plaisent à railler cette croyance, destinée à remplacer leur foi étroite, ils ne se doutent pas qu'ils raillent un Père de l'Eglise, un saint."—p. 632. He conceives the future life will be not in all respects dissimilar to the present ; that, as far as human beings are concerned who are here in a state of moral trial, it will be coherent with it ; that the education of each one, here left unfinished, will be then completed. He lays stress on the expectation of progression, and by no means excludes consequences, in one sense penal, of faults here committed, or opportunities left unimproved ; but all penalty imposed by the Divine Being must have the end of ultimately ameliorating the creature who suffers it. Scotus Erigena also held an opinion of universal salvation, on the philosophical ground that evil has no substantive positive existence, that it is only a condition, a transient shadow of good. It has been

to the discredit of the Protestantism of the sixteenth century hitherto, that in its worship of the letter of the Bible, it has been more merciless in its enunciation of the doctrine of Hell than the Roman Church has been with its fiction of Purgatory. There is, however, a difficulty in the way of recasting the Protestant doctrine in this respect—if the Revelation of the Bible be put aside as inconclusive, where will be found a sufficient ground in science or in philosophy for a doctrine of the soul as an atomic entity, with a description of the natural necessary attributes which it must carry with it beyond the grave?

There is another volume of M. Laurent's bearing on the same subject,⁷ principally directed to show the incompatibility of Catholicism with modern civilization. The sum of it might, we think, be put in this way: That the conservative or reactionary principle in Europe has, since the year 1848, lent its weight to the Catholic or quasi-Catholic reaction as a means of counteracting, and ultimately of neutralizing, what is commonly known abroad as "the Revolution." Probably no persons have done more harm to the cause of progress than some of its professed friends among the Roman Catholics, such as the late Count de Montalembert, Professor Döllinger, and other conciliators. For they have always held to the Roman principle at the last. They have never thought of a compromise with Protestantism, or with civil liberty, on equal terms. The Papacy itself finds fault with the conciliators from time to time, but it has been effectually served by them.

There is another sort of conciliators, principally among the Anglicans, whose services Rome requites with the contempt belonging to the consciousness of superior consistency and undoubted supernatural supremacy. Whatever may hereafter follow from the efforts of the Reunionists, they will never be able to charge the Roman controversialists with having misled them as to the extent of the Roman claims. It is the moth which goes to the candle, not the candle to the moth. Mr. Rhodes, though a layman, appears to have a thorough acquaintance with the arguments by which the necessity in order to salvation of visible union with the Church of Rome is maintained by the theologians of that communion, and his work has received the approval of high ecclesiastical authority.⁸ The persons whose theories he principally sets himself to combat are Dr. Forbes, Bishop of Brechin, and Dr. Pusey. The key of these Roman controversies is always to be found in some fundamental definition which lies at the very entrance to the discussion. Dr. Forbes and Dr. Pusey and the Reunionists generally admit, nay, maintain, that Christ's Church is "One." The difference arises upon the definition of that unity. Is it a subjective or objective unity, an invisible or visible unity? Anglicans usually concede half the ground in dispute when they define the unity as visible, and three-fourths of it when they insist on the necessity of an

⁷ "La Réaction Religieuse," par F. Laurent, Professeur à l'Université de Gand. Paris: 1869.

⁸ "The Visible Union of the Catholic Church maintained against opposite Theories; with an Explanation of certain Passages in Ecclesiastical History erroneously appealed to in their support." By M. J. Rhodes, M.A. In Two Volumes. London: Longmans. 1870.

Apostolical succession of Bishops as the requisite channel of Sacramental grace, and an essential characteristic of the One true Church. For the Roman controversialist then distinguishes between the Apostolate, of which the mission ceased with the deaths of the Apostles themselves; the Episcopate, which is a part of the divinely constituted hierarchy of the Church, and the Vicariate, by which the Episcopate itself is tied together, and the unity of the Church preserved in perpetuity. The Popes are not successors of Christ, but his Vicars. For Peter, whose successors they are, had a twofold character—he was both an Apostle and the Prince of the Apostles. In the one character, he was on a footing with the rest of the twelve; in the other, he was supreme over them as the representative of Christ. St. Peter's successors are Bishops, but they are something more.—p. 47.

“God has given in charge to Peter the eternal interests of all mankind, and has constituted Peter's See the guardian of His gifts of grace. Rome alone dares claim this world-wide rule, and Rome alone possesses it. In her lives on, and ever will live on, the blessed rule of Peter. In her, through him, its head, the whole college of the Apostles is represented to us. Out of her Communion no Church can be Apostolic. Christ Himself dwells in her, and He has established that imperishable dynasty as the everlasting basis of His everlasting Church. He has constituted each succeeding Roman Pontiff the teacher of His Faith, the centre of His Church's Unity, the ruler and the shepherd of His flock; on him alone has He conferred the Divine right of delegating His jurisdiction throughout the universe.”—pp. 63, 64.

In like manner the historical argument for the supremacy of Peter and of his successors in the Roman See is elaborately set forth by the Hon. Colin Lindsay.⁹ His conversion to the Church of Rome appears to have been determined by his conviction that the Christian Church was founded on St. Peter, and that all Churches not in communion with the Church of Rome are heretical and schismatical. The work has been drawn up in obedience to the request of a deceased friend.

A new edition of Barclay's celebrated “Apology for the Quakers”¹⁰ very well deserved to have been given in a larger and more readable type. Notwithstanding a certain narrowness as to a few points, a narrowness rather of application than of principle, there is more anticipation of modern Protestantism in the “Apology” than in any of the recognised Protestant or Reformed Confessions. The great leaders of the Reformation, Luther and Calvin, had for awhile possession of the principle of an immediate Divine light, but they put it aside, partly as a dangerous doctrine, being frightened by the excesses of

⁹ “The Evidence for the Papacy, as derived from the Holy Scripture and from Primitive Antiquity.” With an Introductory Epistle. By the Hon. Colin Lindsay. London: Longmans. 1870.

¹⁰ “An Apology for the true Christian Divinity, as the same is held forth and preached by the people, in scorn, called Quakers. By many arguments deduced from Scripture and right reason, and the testimonies of famous authors, both ancient and modern; with a full answer to the strongest objections usually made against them.” By Robert Barclay. Original Edition in Latin. First English Edition, 1678. Thirteenth Edition. Manchester: W. Irwin. 1869.

the Anabaptists, partly as apparently less effective and convenient in controversy than the appeal to the "written Word," as the ultimate standard of truth. Nevertheless, in several of the Reformed Confessions, and even in the Westminster Confession, it is admitted that the certainty of the truth of the Scriptures is "from the inward work of the Holy Spirit in our hearts," and the Friends concluded more distinctly that "the Scriptures are not the first adequate rule of faith and manners; because the principal fountain of truth must be the truth itself—*i.e.*, that whose certainty and authority depends not upon another." ("Apology," p. 37.) There are also many other points which will be interesting to refer to by those who are watching the controversies of our own days—as, concerning "the light that lighteth every man that cometh into the world" and the universality of Redemption; concerning the futility of an outward call to the Christian ministry, the superstition of a visible succession, and the spiritual interpretation of Baptism and Communion. The reform within the Reform which is necessary in these days, touches the same dogmas of Catholicism and Protestantism, against which the Friends testified two hundred years ago. Opinions or convictions having much affinity with those of Barclay and the "Friends," are as unpopular now as then, and lie under the ban alike of Romanist, Episcopalian, Presbyterian, and Independent.

The purpose of the book, entitled "Bible Difficulties: their Teaching Value,"¹¹ is to collect from the authorized English version a number of instances of mistranslation, inaccurate or inconsistent translations, and more especially of "motived translation," and to show that this version, above all others of the Protestant translations, evidences the necessity for an authorized interpreter. "What they, under the influence of human passion, as history abundantly testifies, had determined to do, was to de-Catholicize the Bible. This they accordingly did in their now popular versions. But unless they were utterly incompetent men, in doing this they knowingly and consciously substituted their own authority for the transmitted authority of Christ, and gave to the people they were deluding the word of man, under the pretence that it was the Word of God."—p. 168. According to the author, the only interpreter who holds the key of all Bible difficulties was deserted by our ancestors when they "strayed from the Church built upon the rock," and to regain the rightful teaching we must "return to the fold of Christ, whose only sure resting-place is in the rock-built fold."

A series of Discourses, entitled "The Christian Policy of Life," is dedicated by Mr. Baldwin Brown to the younger members of his congregation.¹² His desire is to enforce the truth that "the true policy of life demands simply that man should see himself as God sees him, and

¹¹ "What saith the Scripture? Bible Difficulties: their Teaching Value." London: Williams and Norgate. 1869.

¹² "The Christian Policy of Life." By James Baldwin Brown, B.A., Minister of Claylands Chapel, London, Author of "The Divine Life in Man," &c. &c. London: Elliot Stock. 1870.

aim at what God meant him to become." The persons principally addressed are those whose difficulties are likely to arise out of the great temptation in modern civilization—how can one get on in life? The preacher is very practical, evidently knows the sort of persons whom he addresses, and never relaxes his hold on them as a religious teacher.

It is frequently said of Biblical critics who depart more or less from the traditional understanding of the history and doctrines of the Bible, that their criticisms are practically worthless, for that they mutually destroy each other. By parity of reasoning, the utter worthlessness is apparent of orthodox Christian expositions of the Danielic prophecy of the seventy weeks. Dr. Pusey and Mr. Bosanquet, both anxious to vindicate this celebrated passage as a chronological prediction fulfilled in the person of Jesus Christ, cannot be brought into any unison as to its interpretation.¹³ Those who found an argument for the truth of Christianity upon the accomplishment of prophecy, specify this prediction as in some sense unique, in that it is chronological. Its chronology is its specific feature. And this chronology is particularized or detailed—the seven weeks and the sixty-two weeks and the one week must be as capable of identification as the whole period of seventy weeks which is made up of them. It is here that the expositors hopelessly conflict with each other, and with the text itself, and invariably fail. They have, moreover, no independently ascertained *terminus a quo*, and assume each according to his phantasy the *terminus ad quem*. Thus Dr. Pusey is described by Mr. Bosanquet as having violated or overlooked almost all recognised principles of interpretation, of which he gives fourteen instances (pp. 62–64); and he says: "Thus are the distinctness and precision of Daniel's words departed from at almost every step, in this the most recent of Christian interpretations; and such is the approved mode of interpretation entertained by one of the most esteemed and eminent Christian writers of the present day, concerning a prophecy upon which the momentous doctrine of the Messiahship of Jesus of Nazareth is chiefly founded."—p. 64. But is Mr. Bosanquet more successful? If not, what becomes of this "chief foundation of the momentous doctrine?" In some respects his interpretation squares less with the original words than even Dr. Pusey's. Dr. Pusey, taking the subordinate periods in the order given in the book 7 + 62 + 1, makes the 69 weeks terminate with the cutting off of Messiah the Prince, that is, with the crucifixion of Jesus Christ, and is then greatly puzzled what to do with the one week; in the which he should "confirm the covenant with many," and in the midst of which the "sacrifice and oblation should cease." But Mr. Bosanquet, paying no attention apparently to the "cutting off" of Messiah the Prince, makes the whole

¹³ "Messiah the Prince; or, the Inspiration of the Prophecies of Daniel. Containing remarks on the views of Dr. Pusey, Mr. Desprez, and Dr. Williams, concerning the Book of Daniel, a rectified system of Scripture Dates, &c. &c. By J. W. Bosanquet, F.R.A.S., M.R.A.S. Second Edition. London: Longmans, 1869.

period of seventy years terminate with the birth of Christ (B.C. 3), and is thus forced to re-arrange the order of the periods, as $1 + 7 + 62$. It is certainly highly probable that a considerable dislocation may have taken place in the clauses of this prophecy; but in that case how will it be possible ever to render it the "chief foundation" of a momentous doctrine? Mr. Bosanquet, indeed, in a candid review, on the whole, of Mr. Desprez's work, frankly enough admits that "large interpolations" (notably ch. xi.) had been made in the book of Daniel previously to the publication of the LXX. version, and the true text has been handed down to us, "obscured and mystified by mere words of comment." But we ought to be sure that we have the "Word of God" before we set to work to interpret it, or to found "momentous doctrines" upon it.

Extremely instructive, especially for those who may be tempted to lend themselves to the encouragement of fruitless, and worse than fruitless, Oriental Christian Missions, is a little work, entitled "*The Modern Buddhist*."¹⁴ Chao Phya Praklang was foreign minister of Siam from the year 1856 till two years ago, when he was obliged to retire, from blindness. He was much esteemed, of a liberal and inquiring spirit, always ready for discussion with Europeans, missionaries or others, upon scientific or religious subjects. He published the results of his inquiries in a book entitled "*Kitchanukit; a Book explaining many Things*." The first part of the extracts here translated concern various cosmogonies and theories of the universe. The author could not understand the doctrine of a creating God, much less of a God as represented by the missionaries, whether Christian, Mahometan, or Brahmin, loving and hating, angry and propitiated: and he was accustomed to reproach the missionaries with the fact that the teachers of each religion represent that as the only true one, and say that those who believe any other will go to hell; which is not in accordance to the teaching of Buddha. The most interesting perhaps of the extracts concern the Buddhist notions of a future life, and of "*Kam*," destiny or concatenation, according to which all merits and demerits in this state of existence are followed by their natural sequences in future worlds. Contrasting this belief with the teaching of the missionaries, he says,—

"Those who believe that after death the soul passes to hell or heaven for ever, have no proof that there is no return thence. Certainly, it would be a most excellent thing to go direct to heaven after death, without further change; but I am afraid that it is not the case. For the believers in it, who have not perfectly purified their hearts, and prepared themselves for that most excellent place, where is no being born, growing old, and dying, will still have their souls contaminated with unradicated evil, the fruit of evil deeds, for where else can that evil go to?"—p. 52.

Moreover, the idea of *Kam* is thus compared by the intellectual Buddhist with that of a Divine Judge:—

"Those who believe [in a creating God] cannot see the Creator better than

¹⁴ "*The Modern Buddhist*." Being the views of a Siamese Minister of State on his own and other Religions. Translated, with remarks, by Henry Alabaster, Interpreter of H.B.M. Consulate-General in Siam. London: Trübner and Co. 1870.

others can see the Kam. It is a matter for the consideration of the wise, whether we should say there is a creating God, the Lord and Master of the world, or whether we should say that it is Kam which fashions and ordains existences. Neither has a visible form. If we believe that Kam is the cause, the creator, the arranger, we can get hold of the end of the thread, and understand that the happiness and misery of living beings is all caused by natural sequence. But if we assert that a creating God is the dispenser of happiness and misery, we must believe that He is everywhere, and at all times watching and trying, and deciding what punishments are due to the countless multitude of men."—p. 64.

The representatives of Modern Thought, from whose writings extracts are given in the book noted below, are Bishop Temple, Professor Jowett, and the Bishop of Natal. Whether the errors enounced by them are in an equal, or in what degree, shocking to Mr. Gorman's orthodoxy we need not stop to inquire.¹⁵ The practical question to which he addresses himself is to determine whether the Creed so called of Athanasius should be retained as it is in the English Formularies, or relegated from the Liturgy to the Articles, or curtailed in any way, or authoritatively explained. He thinks that for the present it should be kept where it is, intact, in order that a clear idea may be formed of its meaning. For that, according to Mr. Gorman, will prove to be very different from the notion usually formed concerning it. In the first place, he "distinctly" and "unreservedly repudiates" "what is commonly supposed to be the plain and obvious meaning of the condemnatory clauses;" and secondly, "the commonly received notions respecting the doctrines which constitute the body of the creed are, in the opinion of the writer, radically erroneous, and of pernicious influence on general theological thought."—p. x. Or, as he puts it, with admirable simplicity—he differs from theological writers of the highest reputation, not so much as to the statements of the Creed, as to the sense in which they are to be taken. Many before now have stumbled at the use of the word "Person" in the Creed; others have taken it in a Sabellian sense. Mr. Gorman prefers to say that "the Triune God is one not only in essence but also in Person, provided only that instead of 'three persons,' in the common acceptance of the term (which would involve manifest Tritheism), be understood *Three Essentials*—Father, Son, and Holy Spirit—in the divine human Person of the Lord Jesus Christ."—p. 144. This does not seem to us very different from Sabellianism, not that that would imply its falsity, only that it is no discovery; with a shifting, however, apparently of the centre of the Trinity, as presented to us in the Creed, from the first hypostasis to the second.

Dr. Rosenkranz represents what is called the Hegelian "Right,"¹⁶ and his present work is a very elegant and effective vindication and glorification of the great philosopher. As the Germans, he says, were the last people in Europe to arrive at a Philosophy, their philosophy was the more capable of embracing all the material which had preceded

¹⁵ "The Athanasian Creed and Modern Thought." By the Rev. Thomas Murray Gorman, M.A. London: Longmans. 1870.

¹⁶ "Hegel als Deutscher Nationalphilosoph," von Dr. K. Rosenkranz. Leipzig. 1870.

it, and of becoming, not eclectic, but all-sufficient and comprehensive. Dr. Rosenkranz shows sufficiently that Hegel himself had by no means intended to break with religion, nor with the Christian religion, though he has transmuted its doctrines into philosophical conceptions. He defined God, not as absolute substance only, but as absolute subject. He saw no ground for expecting a fleshly resurrection, but likewise none for assuming that the destruction of our bodies must be the destruction of the thinking self; nor yet again, that life, truly so called, shall only commence for us beyond the grave. Rosenkranz repels, as an unfounded charge against Hegel himself, that he held God as only coming to consciousness in man, or as unconscious in himself; he meant rather this, that as the generating thinking Spirit, his own perfection is completed in the generation of man, who can reflect and think him in return.

Mr. Fowler does not profess to enter very deeply into the metaphysical questions which lie beneath any theory as to the validity of induction as a process of human thought, referring the student to the authors of most reputation who have recently treated them.¹⁷ His purpose is to produce a practical manual, in which he has very well succeeded. He treats, first, of the processes subsidiary to induction, observation and experiment, classification and terminology, hypothesis as an instrument of discovery; then of the inductive methods, of agreement, of difference, of residues, of concomitant variations; then of imperfect inductions, of the relation of induction to deduction, and of fallacies incidental to the various methods. Mr. Fowler has been principally indebted to Mr. Mill for the statement of the rules for the application of the methods, and has collected from various sources a number of very instructive examples and illustrations. The publication of a work like this in the Clarendon Press Series indicates the progress of a very important movement in the studies of the University.

POLITICS, SOCIOLOGY, VOYAGES AND TRAVELS.

THE real character of the issues involved in the Irish Land question is at last beginning to dawn upon many who hitherto have, either intentionally, or through indolence and culpable ignorance, evaded it.¹ It is beginning to be understood, as this *Review* has been pointing out again and again for years back, that it is by a mere antiquarian accident, or a series of accidents, that ownership of land has ever been formally and outwardly assimilated either by law, custom, language, or modes of thought to the ownership of anything else. The limited quantity of land in any single territory, the restricted,

¹⁷ "Clarendon Press Series. The Elements of Inductive Logic, designed mainly for the Use of Students in the Universities." By Thomas Fowler, M.A., Fellow and Tutor of Lincoln College, Oxford. Oxford: Macmillan and Co. 1870.

¹ "Systems of Land Tenure in Various Countries." A series of Essays published under the sanction of the Cobden Club. London: Macmillan. 1870.
[Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. P P

though varying uses to which it is capable of being turned, the permanence and inconvertibility of its structural components, its relation to such facts as locomotion, public health, public defence, and the abodes of the population no less than the strange and almost superstitious sentiments that seem to attach an occupier through a certain length of time to the portion of space occupied—all this points to the absurdity of legislating in the matter of the ownership of land on the same principle as in the matter of the ownership of any other things whatever. No State, in fact, has done so as yet, though many, or most, States have made grievous mistakes in attending too little to the actual differences demanded in special cases by the two kinds of legislation severally. The valuable work published by the Cobden Club, on "Systems of Land Tenure in Various Countries," will do great service in calling people's attention, not only to the extreme variety of the land problem as presented in different countries, but also to the systematic efforts that many wise States (including England herself in India, though not hitherto in Ireland) have made from time to time to adapt their legislation to the actual condition of the problem. Mr. Campbell's essay on "The Tenure of Land in India" will be read with peculiar interest, not only on the ground of his special acquaintance formed on the spot with the facts he describes, but also on account of the reputation he has won by his recent work on the "Tenure of Land in Ireland," the recommendations contained in which would seem to have been at the bottom of Mr. Gladstone's Bill. Mr. Campbell's essay does much to clear up many ambiguous terms and institutions which have led to much confusion in describing the posture of the land problem in different parts of India. Thus a very careful and erudite examination is entered upon in order to determine the true historical and actual meanings of such terms as "Zemeendors," "Argots," and "village community." Mr. Campbell defends the permanent settlement of Bengal by Lord Cornwallis in 1793 against the charges made against it in some quarters, to the effect that "we were new to, and ignorant of, Indian administration; that the British administrators mistook tax-collectors for landed proprietors, and by the laws then passed conferred upon them absolute property in the soil, to the entire exclusion of the rights and claims of the inferior holders." Mr. Campbell says that such views of the matter are very wide of the truth, and that the preambles to the Bengal Regulations sufficiently attest that the men of ripe experience and knowledge who surrounded Lord Cornwallis quite understood, and did not overestimate, the real position of the Zemeendors, who were made proprietors, not in recognition of a right, but in pursuance of a deliberate policy. Mr. Campbell gives an interesting description of the settlement of the North-West Provinces in 1822, the peculiar feature of which was the recognition of the claim of landholders to no more than long leases, with a right of renewal at a revaluation at the end of the term. It is said that this settlement gave a "great impulse to agriculture: there was peace and prosperity: the country flourished: property in land acquired a high value; and for a long period the settlement of the North-West Provinces was held out as the perfection of Indian management." Mr. Campbell

notices what he conceives to be certain drawbacks in the operation of this settlement, but they do not seem to be serious or essential. The essay of Mr. R. B. D. Morier, "on the Agrarian Legislation of Prussia," is one of the greatest possible interest. It traces up the institutions in respect of the occupation of land which have characterized Teutonic nations from the earliest times of which there is any record. These institutions were, in conjunction with Roman institutions, the origin of the feudal system. Three periods are distinguishable: first, that of "land ownership and equal possession," in which every freeman is a "miles" in virtue of being a landowner; secondly, that of "land tenure and unequal possession;" and thirdly, that consummated by the Prussian legislation of 1807, 1811, and 1850, the principles of which were "the return to free ownership with unequal possession," as expressed in the abolition of villenage and villein, and other feudal tenures, and the removal from the land of all charges derived from the feudal forms of tenures, and from the feudal organization of society.

Those who wish to drink in a tolerably strong draught of bitter rhetoric in the dispraise of Irish landlords may study the pages of "Irish Landlordism: a Plea for the Crown."² The system of existing tenure by Irish landlords is ruthlessly, though often only too righteously, assailed on every possible ground, as being inconsistent with a due sense of public responsibility; as being unfavourable to production, as being the creature of a progressive tyrannical ascendancy, and as leading to interminable agrarian outrages. "The Irish landlord has refused to modify, and he has prevented others from altering a state of things which has no parallel in Europe, and the like of which can hardly be met with in Asia—a state of things which is a standing reproach to British civilization and the British Government, whose power alone has prevented it from being long since swept away in the vortex of a revolution as righteous and justifiable as any people ever yet attempted."

In a temperate but, as we believe, most insufficient pamphlet on the Irish situation, Mr. Scriven suggests "a plan for applying the law as now administered to the settlement of the question."³ Mr. Scriven notices "that the evil of absent landlords has been much misstated." His view almost wholly proceeds on the purely economic view of the relations of landlord and tenant—a view which, in relation to Ireland, is now pretty well abandoned in all quarters.

The Letters of Mr. Morris,⁴ *The Times'* Special Commissioner, form an especially valuable contribution to the discussion, inasmuch as they give the experience of an eye-witness of great intelligence in respect of the actual facts. The tour described lasted several months, during

² "Irish Landlordism: a Plea for the Crown." By an Irish Landowner. Second Edition. Published for the Author, at 173, Fleet Street, London.

³ "An Irish Farmer on the Land Question." By Scriven. Dublin: William McGee. 1870.

⁴ "Letters on the Land Question of Ireland." By William O'Connor Morris, *The Times'* Special Commissioner. London: Longmans. 1870.

which Mr. Morris visited each of the four provinces of the island, and examined what he calls its most typical "districts." He says that, till he had examined a large part of the country, he had not fully realized to his mind "how vast are the claims of the small farmers in respect of their contributions to the soil; how law as to these matters is simply a perversion of justice; how closely associated with this wrong is the prevalence of the agrarian spirit."

Mr. MacCarthy's statement of the Irish land question, and his reply to these questions, are clear, vigorous, and accurate.⁵ The monopoly of land-ownership, the insecurity of tenure, and the confiscation of improvements, are rightly described as the main centres upon which all the other evils hinge. The conclusions as to the most appropriate remedies are much the same as those reached by Mr. Bright, Professor Cairnes, Mr. Campbell, and Mr. Gladstone. The value of this work is chiefly in the masterly way in which all irrelevant matter imported hitherto into the controversy is thrown on one side, and the attention firmly held down to the real issues involved.

It becomes more and more apparent that it is those who have had long personal experience in dealing with land-tenure questions in India who are the most capable of the mental attitude needed for the due appreciation of the like questions as presented in Ireland. A most striking pamphlet on the subject, by a "Bombay Civilian," may be fitly placed side by side with the contributions of Mr. Campbell.⁶ In this pamphlet especial attention is drawn to the superiority of the Bombay system of settlement over all modes of settlement practised in other provinces. The superiority is shown in the better position of the actual cultivator through his immediate relations with Government, free, as he is, from the interposition of a middleman, and the gain to Government through its taking the whole amount of the land-rent actually paid instead of dividing it with the Zemeendors. The "Bombay Civilian" argues from his general experience that Government or the public may, under proper regulations, become a landholder on the largest scale, not only without injury, but with the highest possible advantage to the community. As proprietor, the Government can provide great facilities for the transfer of lands; and it can impose conditions on its tenants in the national interest which could not be safely left to the public spirit, or the caprice of an individual land-owner. A scheme of land settlement for Ireland is suggested on this principle, with the slightest possible change in existing interests and relationships.

It is one valuable consequence of Mr. Mill's brief Parliamentary life that he has obtained a public notoriety in circles to which the rays of his intellect were too pure and colourless previously to reach. A sign of this widening popularity is the republication in the cheapest form of all his main publications on social and political topics.⁷ His

⁵ "Irish Land Questions Plainly Stated and Answered." By John George MacCarthy, of Cork. London: Longmans. 1870.

⁶ "The Land Question in Ireland, viewed from an Indian stand-point." By a Bombay Civilian. London: Trübner. 1870.

⁷ "Chapters and Speeches on the Irish Land Question." By John Stuart Mill. London: Longmans. 1870.

large work on Political Economy, and "Hansard's Debates," supply matter for the text of these closely-printed volumes, which, with the exception of his celebrated pamphlet, include all Mr. Mill has at any time said in public or written in reference to Ireland. It is very fortunate that Mr. Mill's speeches are so well preserved, as he has a knack of saying a thing by word of mouth or in a partially private letter, which supplies a key to much of his more scientific language, and which the gravity and self-restraint he usually imposes upon himself in his systematic writings necessarily exclude. A good specimen of this is Mr. Mill's answer to Mr. Lowe, when speaking on Mr. Maguire's motion on the state of Ireland, March 12, 1868, "Political economy has a great many enemies; but its worst enemies are some of its friends; and I do not know that it has a more dangerous enemy than my right hon. friend. It is such modes of argument as he is in the habit of employing that have made political economy so thoroughly unpopular with a large and not the least philanthropic portion of the English people."

Mr. Godkin has rendered the same valuable service to the discussion of the Irish Land Question which he rendered to that of the question of the Irish Church, by giving a careful and precise history of Ireland in relation to the tenure of her soil from the earliest times.⁸ The story commences with the assumptions of Shane O'Neill, and travels through all the successive dreary rebellions, "plantations," confiscations, and attempted land systems, till it terminates with the exact state of things at this day, which Mr. Godkin has, as special commissioner for the *Irish Times*, during the past year investigated for himself.

It is not many Liberal politicians possessed of Mr. Probyn's warmth of political zeal who have his courage in insisting on the recognition of truths unpalatable to many of their best friends.⁹ Mr. Probyn's Essays on "National Self-Government," form on this as on many other grounds, one of the most precious contributions to political ethics which this country has of late supplied. It may be said of them, without a tinge of exaggeration, that they display a certain energetic enthusiasm in the cause of reform, personal liberty, and political purity, such as is less frequently met in Englishmen than in certain great continental writers, coupled with what is often wanting in some of the ablest of these, a regard to the claims of "order," a deep-toned remonstrance against violent invasions of that order, whether due to Imperialism, a Southern Confederation, or Fenianism, and an honest recognition of the force of moral agencies in a nation as operating quite independently of the accidental form of the Government. Thus Mr. Probyn contrasts the situation of Belgium under Leopold, in the critical year 1848, with that of France under Louis Philippe. The contrast is all the more vivid, inasmuch as the French King recom-

⁸ "The Land War in Ireland: a History for the Times." By James Godkin. London: Macmillan. 1870.

⁹ "National Self-Government in Europe and America." By J. W. Probyn. London: Trübner. 1870.

mended Leopold to interfere with the meeting of the three hundred delegates at Brussels, on the 14th of June, 1846, deputed by private associations in the provinces, and who finally succeeded in drawing up an act of federation among themselves, and announcing a programme of Belgian liberalism. Leopold refused "to impede a constituted right (that of public meeting), trusting besides to the good sense of the people." He allowed the ministerial crisis to come, and when the country, in the full exercise of its free system (both in the Chambers and out of doors), finally declared against the Ministry, the King accepted the resignations offered, and called upon the leaders of the Liberal Opposition to form a Government. Mr. Probyn insists again and again that the sole condition of constitutional freedom is the union of an extended suffrage and the largest possible opportunities of expressing opinions, whether by free meetings, a free press, or free Chambers. The existence of either of these guarantees alone will, sooner or later, terminate in revolution. The Government of the Emperor of the French has hitherto presented an example of the former guarantee standing aloof from the latter, as the Government of his immediate predecessors was a like example of the latter guarantee separated from the former. Mr. Probyn notes how much the constitutional crimes of Louis Napoleon have dogged his steps through all his later history, even when he has done acts, as in his championship of Italy, which have partially redeemed his name. "The terrible obstacle in his path, now that he would do what is right and politic, is the wide-spread feeling of distrust in him, caused by the recollection of the repeated falsehoods which for so many months masked the preparations for the *coup d'état*, and the revolutionary overthrow of law and freedom, by which it was finally executed." Mr. Probyn has made some important comments on the re-constitution of Austria, and his criticism of the situation of the Southern States during the late struggle in America, to the effect that their insolent repudiation of all modes of constitutional reform, as provided by the Constitution itself, was a death-blow to the notion of any Government at all, is in the highest degree just and instructive. Mr. Probyn's easy, flowing, and lucid style adds an additional charm to a work in itself one of no ordinary interest.

The idea of the volume, styled "Recess Studies,"¹⁰ is, that "the Autumn Recess, which falls to the lot of almost all professions in this country, might be utilized in the preparation of calm and careful judgments upon some of the questions occupying, or likely to occupy, the minds of men in Parliament or elsewhere." The matters actually treated are of the greatest possible interest and considerable variety. Certain political and social problems presented by the existing condition of Scotland are handled with special care and attention to the minutest details in matters of fact. The essay, however, which on many grounds claims chief consideration, is Mr. James Stirling's criticisms of Mr. Mill's doctrines on the subject of Trades-Unionism, as recently

¹⁰ "Recess Studies." Edited by Sir Alexander Grant, Bart., LL.D. Edinburgh: Edmonston and Douglas. 1870.

enunciated in Mr. Mill's articles in the *Fortnightly Review*, on Mr. Thornton's work on "Labour." Mr. Mill is charged—first, with having deserted the severe scientific view he took in earlier life of the economic relations of capital and labour; and secondly, with having become the patron of a spurious moral scheme in reference to the rights and duties of unionists. Mr. Mill's rare faculty of perfect abstraction, coupled with the real complexity of his logical and ethical constitution, lay him peculiarly open to incessant attacks of this nature. His ever unresting progress in speculation as new facts successively come before him, or as his attention becomes attracted to classes of facts only superficially noticed before, is a further ground for his puzzling all the unsympathetic or narrow-minded critics who are ever discontented if an eminent man displays any greater number of sides than those which are turned towards themselves. No man knows better than Mr. Mill what is the true region of the science of political economy, and what is its teaching on the subject of wages. Mr. Mill has never swerved from the severe doctrine that, at a particular moment in a particular branch of handicraft, and, it may be (in default of the most perfect facility of intercommunication), in particular parts of the country, there is a fixed or natural rate of wages towards which the actual rate is gravitating downwards or ascending upwards. This fixed standard is determined simply and exclusively by the laws of supply and demand—in other words, by the relations existing between the amount of capital devoted to production and the number of suitable labourers seeking employment. No legislation and no kind of moral action can in the slightest degree affect this natural standard. Mr. Mill has adhered to this clear and intelligible doctrine from first to last, though it is only within the last few years that he has had to take into consideration a class of facts which did not so much as come within the purview of his work on the severe science of political economy. The fixed standard, or "natural rate" of wages, as determined solely by the reaction upon each other of the twofold elements of competition among capitalists and competition among labourers, is nearly always found to differ greatly from the actual rate which is obtainable at any given time and place. A great many causes combine to bring this about, such as ignorance, comity, local manufacturing or agricultural advantages, long custom, special opportunities or lack of opportunities for locomotion. The result may be either favourable to the employers or to the employed, and, as a matter of fact, are nearly invariably so to the latter rather than to the former. Now, the purpose and *raison d'être* of Trades Unions is, (1) to prevent, through any accidental circumstances, the actual rate of wages ever sinking below the natural rate; (2) to prevent the actual rate of wages undergoing constant fluctuations through the caprice, the tyranny, or the misapprehensions as to the current prices of employers; and (3) to keep the actual rate of wages so far above the natural rate as may improve the condition of labourers without seriously diminishing an effective desire for production on the part of employers. Now, Mr. Stirling's argument rests wholly on the undoubted truth that every limitation of an employer's profits diminishes *pro tanto* his

available capital, and therefore in the long run tends to depress the natural rate of wages in one employment or another. Mr. Mill would be the last to question this truth, though he would say that greater good is gained by all labourers at work being well paid than would be obtained by an extension of the number of labourers put to work. At this point the question is lifted out of the realm of political economy into that of ethics or politics proper. It may well be that an effective desire of accumulation on the part of a few capitalists, with its attendant influences on the general "competitive" or "natural" rate of wages, may be purchased too dearly. The Trades Unionist position is that it is just as important that every labourer should be well off as that there should be more work in the market and a great demand for labour. Mr. Mill would fully admit that, to a certain extent, the two ends are incompatible with each other, though it is also true that the participation to a greater extent in the profits of their employment tends to impart a spirit of effective accumulation to workmen themselves, and so to stimulate employments generally, though with less concentrated force than when operating through large capitalists directly. As to the advantages of Trades Unionism in the other particulars, that of providing an organization which shall prevent the ignorance or isolation of labourers telling against them, and arrest capricious or unreasonable action on the part of employers, hardly two opinions can exist among unprejudiced men. Mr. Stirling finds great fault with Mr. Mill's general defence of Unionism on ethical grounds. Mr. Mill certainly might have made his ethical defence far stronger than he has, simply because it is a topic which cannot be fairly or usefully separated from that of the whole social reconstruction of the country, or rather of all the countries of Europe. The Unions, undoubtedly, have made all kinds of mistakes, and committed all kinds of blunders, and some crimes. The recent Report has shown, however, that they are steadily cleansing themselves from all that is evil, and that some of the largest and most effective Unions are absolutely pure. To those who deeply consider the wants of the day, it will gradually reveal itself that through Trades Unionism alone can be made any hopeful advance towards the true civilization of the labouring man in the western communities.

The essay in the same volume by Dr. Wallace, on "Church Tendencies in Scotland," is also of great interest. The following are given as the number of churches belonging to all the bodies represented in Scotland. The Establishment has 1254 churches; the Free Church, 273; the United Presbyterian Church, 600; the Scottish Episcopal Church, 157; the Roman Catholic Church, 132; the Congregationalists, 96; the Baptists, 83; the Evangelical Union, or Morisonians, 77; the Reformed Presbyterians, or Cameronians, 44; the Wesleyan Methodists, 34; the United Original Seceders, 25; the Reformed Presbyterians in Scotland, or True and Original Cameronians, 11; the Unattached Episcopians, 8; the Unitarians, 5—in all, 3400 churches, to a population of 3,205,481. The first four of these bodies are the only important ones. Dr. Wallace gives some striking illustrations of the general

liberalizing influences that are operating in even the most narrow of these bodies, whether as exemplified in ritual, observance of Sunday, regard for the literal interpretation of Scripture, or in modified conceptions of elementary Christian doctrines. There is a great movement in the Established Church at the present moment in the direction of abolishing lay patronage. The Free Church are only reluctant to co-operate fully, because they by no means incline to voluntarism, but rather hold that it is the function of the State to support themselves exclusively, though not to interfere with them. Probably a future combination of the Established Church, the Free Church, and the United Presbyterians, on some basis independent of all State alliance whatsoever, and rendered possible by an ever greater widening of intellectual sympathies, will be the solution of ecclesiastical problems in Scotland. The Scotch Episcopal Church, if awake to its true destiny as an organ of progress and not of retrogression, might serve as an invaluable amalgam.

An article on "Scotch Education Difficulties," by Mr. A. C. Sellar, is of kindred interest to the foregoing one. It contains a full account of all the attempts recently made to provide some general system of National education in the face of the different sectarian interests that keep pulling the question in every direction but one likely to end in its settlement. In respect of compulsion, Mr. Sellar rightly notices what is the essential vice of this method even if it be necessary on other grounds. "It involves the principle that the State is entitled to establish a surveillance over the most private arrangements of our domestic life, and to subject us all to a system of legalized espionage." Mr. Sellar notices that, as a matter of experience, in Scotland, wherever, either in town or country, there are good schools, these schools are filled; and wherever there is adequate school accommodation and efficient teaching, there is no difficulty in securing attendance. "A well-considered measure providing machinery for the establishment of schools wherever they are wanted; enjoining secular and forbidding religious teaching in these schools; enforcing compulsory rating; sanctioning liberal grants in aid through the Education-office from the Consolidated Fund; organizing efficient and universal inspection; and instituting central and local supervision over the whole system, might be introduced into Parliament, and passed into law in the ensuing Session."

The notes on "Hindrances to Agriculture," from a Scotch "tenant-farmer's point of view," by Mr. Hope, give as definite grounds of complaint in Scotland—the law of Hypothec, by which a tenant is prevented from disposing of the crop before the rent becomes due, and so the landlord enjoys such a security for his rent that he is careless about the general character and capacity of the tenant, and the state of the Game Laws.

An article, by Dr. Lyon Playfair, on the "Declining Production of Human Food in Ireland," calls attention to the necessity of naturalizing manufactures in that country. It is noticed that neither Switzerland nor Holland possess such manufacturing resources as Ireland, and yet both of them far exceed that country in prosperity. "The

Irish working-classes have shown an uncommon aptitude for learning science and art; and their minds, by judicious instruction, could be prepared for those industries which are based on their application."

The object of Mr. Dudley Baxter's little treatise, on "English Parties and Conservatism,"¹¹ is to prove that neither of the two leading parties which have divided between them the government of England from the earliest days of effective Parliamentary action are entitled to all the praise of the good things done, especially in late years, with reference to the achievements in the matters of Catholic Emancipation, Free Trade, Reform, Slavery, and Criminal Law Amendment. It is quite true, in recurring to the particular history of each of these great movements, that the best effective blows were often struck by the parties who represented, or who were popularly held to represent, the "Conservatives" of the day, and thus it is easy to claim Mr. Pitt, and Sir Robert Peel, and Mr. Disraeli, as the authors of the measures resulting in Free Trade, Catholic Emancipation, and Household Suffrage, as well as to charge Lord Melbourne, when Whig Prime Minister, with alleging "that it is the maddest of all madness to dream of altering the Corn Laws," and Lord John Russell with refusing the prayer of three million petitioners on a reference to precedents. These are the mere superficial incidents due to the very nature of Parliamentary government. It matters little who ultimately carries a great measure involving beneficial change. It is quite true that men in most matters far a-head of their age do, nevertheless, on one and another subject, often share the prejudices of the most retrograde. When such men are in high office, they often enough do infinite mischief. It is also true that parties in Parliament often enough change their character without changing their name, or, as in America, dissolve and re-combine themselves under names which owe all their significance to some passing allusion, and afford otherwise no index of the true character of the party. Thus, in England, the various incidents attending the succession to the Crown have done much to bring about a confusion of parties, the supporters of the Hanoverian succession—the "Whigs"—being held generally to have been liberal on all topics whatever, an assumption which Mr. Baxter's analysis clearly discredits. But Mr. Baxter's historical investigation proves no more than what is here readily admitted. It does not touch upon the deeper philosophical explanation of these changes in the surface of political traditions. There is, deep below all the antagonisms of party, a real fight constantly waging, of which the frays in the House of Commons are only the shadows and illusive counterparts. The distinction between the mind that looks forward and that which is either stagnant or retrospective, between the courageous, the trusting, and the politically imaginative on the one hand, and the fearful, the indolent, or the dull on the other, is essential and real. It reproduces itself at every era, in every question, and in every society. Even in those gifted minds, the number of which, it is hoped, is constantly increasing, who can look back upon the past

¹¹ "English Parties and Conservatism." By R. Dudley Baxter, M.A. London: Bush. 1870.

with affection or reverence, and yet none the less believe in and work up to a future of which the past is not even the poorest similitude, a perfect balance between these two stages of feeling can hardly exist. Even with these the Liberal or the Conservative tendency will now and again assert its paramount sway, if it be only by calling out a vehement and honest reaction against itself. Mr. Baxter certainly deserves much credit for the candour with which he has sought to be scrupulously just in awarding to opposite parties their meed of praise for good political work done. It is only here objected that these chance facts of political history by no means hide out of sight the truth that a true "Liberal" is in no sense a "Conservative" in any just meaning of the term, and that the two styles of thought and feeling are really and diametrically opposed to one another.

It is not easy to estimate too highly the importance of drawing attention to the current defects in the education of women, and of pointing out the modes in which these defects may be most surely and expeditiously remedied. A great help in this direction was rendered by the publication of the Report of the Schools Inquiry Commission appointed in 1864. So much of that report, about a twentieth of the whole, as relates to girls, has been republished by Miss Beale,¹² the Principal of the Ladies' College, Cheltenham, and accompanied with a most valuable preface, which in itself is a sufficient proof, were that wanting (which it is not), that there are quarters in which the best results which feminine education can aspire after have been even now fully attained. In the course of this preface all the main points affecting either the subject-matter of, or the mode of imparting, or the material conditions of, a true education for women, are handled with equal acuteness, decision, and grace, while existing foibles and prejudices are unsparingly brought to view. The following is a story told over and over again in English homes of wasted lives and blasted energies:—

"The girl reaches seventeen or eighteen, or whatever may be the age at which it is thought time for her to leave off study, and friends inquire how it is she is still at school, and think it is time for her to be 'coming out.' A little later, and she would have gained a power of thought and independent study. A taste for good reading would have been formed: a love perhaps of some special branch of science. She would have reached an age when we might look for her to find work and a sphere of her own. Now, years are likely to intervene between school and marriage; she is too young, and her character too unformed for her to be of use as a teacher or in works of charity. She falls, perhaps, into a state of depression, and her health suffers. She is unhappy, discontented with herself, and her temper suffers; she is *ennuyée*, and must have excitement; and as the appetite for wholesome food fails, the desire for stimulants is increased—foolish novels, silly conversation, petty scandal, sensational dresses, &c. These are the husks upon which a noble character is sometimes reduced to feed."

Some interesting remarks are made upon the general result of the evidence as to each of the main branches of the current education provided for women. Thus it appears that the reports are filled with

¹² "Reports issued by the Schools Inquiry Commission on the Education of Girls; with Extracts from the Evidence, and a Preface." By D. Beale, Principal of the Ladies' College, Cheltenham. London: Nutt.

complaints on the subject of music. Mr. Bryce, in his evidence, calculates that "girls who have neither ear nor taste are compelled to spend often about one hour out of every four devoted to education in torturing pianos, and acquiring a mechanical facility which, in the most favourable cases, enables them to rival a barrel-organ." Miss Beale, in reference to this, makes the judicious suggestions—(1) that unless there is decided talent, no more than one hour a day should be given to practising; (2) that parents should cease to attach so exaggerated a value to this accomplishment; (3) that those who have a natural incapacity should be allowed to leave off music altogether. The fourth suggestion exhibits a profound acquaintance with the most practical results of psychological science. It is, that parents should be led to observe that, *cæteris paribus*, those whose mind and character are kept in a healthy state by the discipline of a well-balanced course of study, make far more progress even in playing than those whose power of attention and application is not thus cultivated; that long hours of practising, when the attention is wearied, so far from improving the performer, make her play worse. As to languages, it is suggested, on many grounds, that French and German should have precedence of Latin and Greek, but that the habit of compelling girls to talk French with each other should be wholly abandoned. It is said that thereby a pronunciation is acquired which is unintelligible to those French people who have not learnt the language in England, and the habit of speaking ungrammatical and faulty British English becomes so fixed that it is almost impossible to learn the real language afterwards. Mr. Hammond in his evidence says:—"When this rule is observed it puts a check upon free and rational conversation. Before I heard this (adverse) opinion expressed, I had been disagreeably impressed in one or two schools by the manner in which girls seem to jabber rather than converse with one another." Scientific studies of a physical nature are strongly recommended, and a thorough elementary knowledge of such subjects is properly distinguished from a superficial and showy knowledge. The study of history again, as opposed to a mere empirical recapitulation of names and dates, is held to be especially valuable for women. It leads them, "too prone as they are, to pay exaggerated regard to the judgments of that social coterie by which they are surrounded, to go sometimes beyond their own circle and their own time; to see how the judgments of the past have been reversed; to learn to realize the past. It enlarges their sympathies and their characters, and teaches them to distinguish the transitory and the unessential from the lasting and the essential. It helps them, too, in the discernment of character—a specially important matter for them."

The appearance of a nineteenth-century *Émile* suggests many considerations as to the change that has passed over the philosophy of education since the days of Rousseau.¹³ M. Esquiros' book is good, and, considering its hybrid nature, between a novel, a poem, and

¹³ "L'Émile du dix-neuvième Siècle." Par Alphonse Esquiros. Paris. 1870.

a scientific essay, is very readable. The misfortune M. Esquiros labours under, as compared with his great predecessor, is twofold ; first, because it is almost impossible to say anything new on the subject of education ; secondly, because people are so inured to fresh theories on the subject, that no possible suggestion can startle or even rouse them. However, M. Esquiros has done his best, and begins from babyhood. During this interesting period the youthful hero has simply to grow. “Cet être débile a déjà une fonction importante à remplir dans le monde : il croît.” The chief work of the mother is not “troubler ce mystérieux travail de la nature.” As he gets older more complex duties come upon the parents. Is he to learn Latin and Greek, and when, and how ? Is he to have only a “secular education ?” Is he to be educated as if he were going to be a great man ? Is he to have a technical education ? Is he to copy Achilles ? Is he to like Greek or Roman history most ? The answers to all these questions, and to many more, are all well worth reading.

Mr. Patterson’s work on “The State, the Poor, and the Country,”¹⁴ is one which is sure to commend itself to many readers by the glowing style in which it is written ; the thoughtful tenderness towards the poor and the infirm it displays ; and the only too plausible modes he suggests of remedying existing social misery. Nothing is more easy than to point, on the one hand, to the undeserved sufferings of large masses of the population in this country ; and, on the other, to the opportunities in the hands of the State of relieving those sufferings by assisted emigration, by direct relief at home, by public works of the least objectionable character, and by an extended system of national education. To any person of ordinary generosity and not extraordinary political foresight, the conclusion is irresistible. The immediate advantages of such modes of redressing the said calamities are obvious : the ultimate and indirect consequences hide themselves in the background. We have alleged again and again in this *Review*, that direct interference by the State in the correction of such symptomatic facts as poverty, immorality, and misfortune, either intensifies the evil or introduces other worse and more secret evils, which elude all treatment whatever. Good laws of property ; good criminal laws ; an effective though severely responsible police organization ; and, at the most, a judicious co-operation of legal machinery with voluntary effort in the way of poor-relief, are the sole remedial measures which a State, as such, can safely undertake.

It is very refreshing to meet with a writer like Mr. Greg, who handles the most pressing social and political questions at once acutely and profoundly, and yet with a rare amount of independence of all the current sections of political opinion.¹⁵ In his article on “Direct *versus* Indirect Taxation,” Mr. Greg endeavours to explode what he regards as a series of popular fallacies, usually brought forward in

¹⁴ “The State, the Poor, and the Country: including Suggestions on the Irish Question.” By R. H. Patterson. Blackwood. 1870.

¹⁵ “Political Problems for our Age and Country.” By W. R. Greg. London : Trübner and Co. 1870.

support of direct taxation to the entire exclusion of indirect. He alleges, and brings forward statistics to establish, that for a long time past the burden of State taxation—that is, the taxes as compared with the wealth of the community—has, contrary to a common allegation, been progressively alleviated. In 1803 it was 2·07 per cent., in 1845 1·18 per cent., and is probably now under *one per cent.* Mr. Greg further points out that, were a system of direct taxation really extended to the whole country, the expense of applying it would be equal to that of levying the customs and excise duties; and that, in fact, the sum levied in Great Britain by way of land-tax, assessed taxes, and income-tax, in the year ending March, 1858, cost 3·23 per cent., and in the following year 4·1 per cent., the average being that of the expense of collecting the customs duties. Mr. Greg further insists very strongly on the great convenience, ease, and exemption from invasion by officers of the executive, enjoyed under a system of indirect taxation. Mr. Greg also asserts and brings statistics to prove that “taxation is now so equitably divided among the rich and the poor, that the former pay more than *six* times as much as the latter in proportion to their numbers, and nearly half as much again in proportion to their means.” The question of taxation in relation to the duties of rich and poor severally is complicated with the land question, inasmuch as the mere income derivable from, or the price of, land when once in the market is no index whatever of its general exchangeable value, which in many cases is indefinitely great. On these grounds a very heavy land-tax might be justified on principles peculiar to itself. Another important article of Mr. Greg’s is that on “The New Régime, and How to Meet it.” Mr. Greg points out the extreme inexpediency of trying to carry on the mere political game of party squabbling which entertained those who engaged in it as well as the bystanders before the passing of the last Reform Bill. The effect of such persistence would be to throw the whole power of the country into the hands of the few but reckless supporters of extreme democratic measures, because it would be those who would hold the balance between the rival candidates for power, and they would be in a position to dictate the conditions by which that support must be purchased. “The spirit in which to meet the new régime, and the line of action to be adopted in order to fulfil its conceptions, and to obviate its dangers, are not difficult of discernment. We must apply our energies without delay to the urgent social requirements of the time, and we must bring to the discussion and solution of all the practical questions they involve the same interest, the same eagerness, the same concentration of purpose and vehement resolve, which we have hitherto reserved, almost exclusively, for great party struggles, or for those controversies on the border-land of politics and religion which elicit the passions peculiar to both.”

The publication of the second edition of Mr. Thornton’s valuable work “On Labour,”¹⁶ enlarged and re-written as that work now is, is

¹⁶ “On Labour: its Wrongful Claims and Rightful Dues: its Actual Present and Possible Future.” By William Thomas Thornton. Second Edition. London: Macmillan. 1870.

an event of considerable importance. The new matter is chiefly introduced in the chapter on Supply and Demand, and in the book treating of Labour and Capital in Antagonism. Mr. Thornton acknowledges the aid he has received from critics both friendly and hostile. Among the former he names the *Fortnightly*, the *Westminster*, the *British Quarterly*, and the *Times*. Among the latter he expresses himself as "a good deal disappointed to meet the *Spectator*, but not at all surprised to encounter the *Edinburgh Review*." Mr. Thornton's investigation of the doctrine of Supply and Demand in reference to the question of wages may be treated as one of the most distinct steps in advance which this department of the science of Political Economy has made of late. The notion of a "wages fund" of a determinate character, the whole of which must necessarily be applied at once to the payment of wages, can hardly raise up its head again except under the form to which Mr. Thornton has scarcely adverted—that all capital whatsoever is, in the long run (unless permanently buried in the earth, or physically wasted and destroyed) directed to the payment of wages to labourers of some class or other, and at some place and time or other. Thus Mr. Thornton is quite right in concluding that all speculations about the increase or diminution of a fund so uncertain in its mode and time of employment lead nowhere, and are, therefore, merely frivolous. Mr. Thornton's general criticism that the peculiarity of labour as an article of commerce, owing to its not being susceptible of being stored up and its having no reserved price, and the difference of situation of employers from that of ordinary dealers, prevents the assumed law of Supply and Demand having any strict application in this field, is irrefragable. Mr. Thornton's substitute for the antiquated doctrine is that "in the absence of combination on the side of the employers as well as on that of the employed, the price of labour is determined by competition, which competition again depends upon the estimates formed by the several competitors, of prospective supply and demand." Mr. Thornton concludes his careful and most candid investigation of the Trades Union Question by alleging "that the one constitutional vice inherent in and inseparable from unionism, is its being a visible and tangible embodiment of that antagonism between labour and capital which has always been the curse of the one and a thorn in the flesh of the other." This charge derives too much of such force as it has from the dyslogistic term "antagonism." An opposition of material interests is sometimes quite as much the condition of a high moral unity and sympathy as it is more frequently the ground of ignoble rivalries and coarse recriminations.

Mr. Wray has done an inverse service to that he has counted upon by investigating the real amount of loss caused to Great Britain by the protective duties of France, Belgium, Holland, and the Hanse Towns, coupled with the continuance of the system of free trade from these countries in England.¹⁷ Mr. Wray notices that our manufactured commodities are exported to Australia and other colonies,

¹⁷ "Depression of Trade, and the French Treaty." By G. Wray. London: Ridgway. 1870.

South America, the United States, India, China, and other tropical States, and that all these States, instead of manufacturing the same articles as ourselves, as France and Belgium are doing, give us in exchange the superfluous products of our native industry, such as raw cotton, raw silk, wool, gold, silver, &c., and that free trade between these States and ourselves would prove beneficial to all. "But by our present policy the advantages derived from one part of the world are thrown away in another." It is just as well it should be clearly pointed out that no one State in the whole system of commercial States can impose protective duties without causing loss to its neighbours as well as to itself, and the supporters of free trade in England scarcely needed Mr. Wray to point out to them the extent of the loss caused to England by French protection. But the true mode of benefiting England as well as France in the future, as well as the obligations of political morality, would lead us to persuade and enforce, by international opinion, France to abandon her course, and not to copy it.

Whatever may be the occasional unscientific character of the Social Science discussions engaged in by the Social Science Association, it cannot be denied that this Association renders good service by enlisting the interest of a large number of men and women (who otherwise have little leisure or capacity to engage in practical politics) in the cause of most important measures of reform. If the proceedings of this Association have the defects, they have also the merits, of intense popularity and publicity. A good notion of the kind of work undertaken may be obtained from Mr. Edwin Chadwick's valuable Address, delivered at the opening of the present session.¹⁸ In defence of the existence of the Association, Mr. Chadwick rightly observes that, "With the intense and increasing pre-occupation of the Parliamentary arena, there are important public questions which, if they cannot receive an outside examination and discussion from this or similar associations, will at present receive none whatever." The especially interesting part of Mr. Chadwick's observations is concerned with the strictly economic value to the country of a great but judicious system of national education, primary and technical. The increase of wages as well as of rent, the diminution of disease, the reduction of the rate of mortality, the diminution of losses through recklessness and ignorant handling of machinery, are all advantages on the bearing of which Mr. Chadwick is peculiarly competent to express an opinion.

A conception of the existing social condition of France, from a point of view which no one but a French writer and thinker could well occupy, is supplied by M. Le Play's "*L'Organisation du Travail*."¹⁹ His general complaint is that, whereas the leading distinction between extreme Eastern and extreme Western habits in the matter of the co-operation of employers and employed is that the former are favourable to harmony and the latter to conflict, these

¹⁸ "National Association for the Promotion of Social Science. Address at the opening of the Session 1869-70." By Edwin Chadwick, C.B. London: 1869.

¹⁹ "*L'Organisation du Travail*." Par M. F. Le Play. Tours. 1870.

Western habits of conflict have become unnaturally aggravated in France of late years. This fact of incessant dispute between classes of society mutually dependent on each other is attended with other equally significant and disastrous indications of moral corruption, such as want of regard for all social institutions, however useful or venerable, contempt for aged parents, and a want of a loyal or respectful deference towards women. M. le Play writes after a careful examination into the operation of the different departments of Government upon such social phenomena; and he charges his countrymen with being too ready to run to the central government for help when anything goes wrong. M. le Play appears to place most hope for his country in the resuscitation of minute "social authorities" of a purely moral nature, in the improvement of laws of property, especially in relation to freedom of testamentary dispositions, and in the development of local, in the place of central government.

A really philosophical history of legal procedure, commencing at the earliest times for any nation whatever, would be a book of the greatest possible interest and importance. It has hardly been sufficiently noticed how much the growth and character of early law are determined by the habits of the people as exhibited in their modes of obtaining practical decisions of actual controversies, nor how extremely persistent the mechanical or administrative side (however cumbersome or unfit for its purpose) of a system of law universally is. M. Latreille's work on the History of the Roman Procedure²⁰ would be found a valuable contribution to such a work as that above contemplated. M. Latreille insists upon what it has been the fashion to describe as the three great periods of *actiones* under the kings and early consuls, the *formulae* under the later consuls and the early emperors, and the *extraordinaria judicia* which synchronized with the times of the maturest condition of Roman law. M. Latreille's first volume only carries him as far as the end of the first of these periods, but this covers a space which enables him to render his book of the highest interest by criticising the text of the Twelve Tables with the help of Gaius and the late Roman rhetoricians and jurists.

M. Salmon's book on the "Devoirs des Hommes"²¹ certainly exhausts all the ordinary duties of men in the common relations of life. After treating of a man's "duties to himself," and of his duties to the several members of his family, there come on for consideration the duties of a man as a master or an apprentice, a tutor or a pupil, a principal or an agent, a citizen, a statesman, a soldier, a judge, and the like. The book is full of biographical illustrations, and written in the insinuating French style of treating such topics, the influence of which it is so difficult to resist. Yet we believe this is not the true way of teaching moral science, which must be approached as an indissoluble whole, and in the application of which to life every case is almost absolutely new.

²⁰ "Histoire des Institutions Judiciaires des Romains." Par Jacques Latreille. Paris. 1870.

²¹ "Conférences sur les Devoirs des Hommes." Par C. A. Salmon. Paris. 1869.
[Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. Q Q

Another mode of teaching morals is adopted by Mr. Steinmetz in his entertaining account of the "Gaming Table."²² Some people would think they had disparaged the work by calling it "sensational," but it is full of odd biographical scraps, and, indeed, has considerable psychological as well as ethical interest.

In M. Maxime du Camp's account of Paris, "*Ses Organes, ses Fonctions, et sa Vie*,"²³ is contained not merely a quantity of interesting matter, as the enormous scale upon which a great city has to be supplied with what it takes to be the necessities of life, as bread, meat, wine, tobacco, money, and bank-notes; but also a curious illustration of the intense centralization with which the French people are so easily content in matters of government. The superficial results are no doubt attractive, or, at any rate, more so than the absolute disorder and chance that reign uncontrolled in the organization of life in London.

A very different view of our own capital is supplied by Mr. Wheatley, in his "*Ramble about Piccadilly and Pall Mall*."²⁴ His purpose is to get a retrospective view of "the various changes that have occurred at the Court end of London." This is a kind of book which will be read with great pleasure, though its interest is rather antiquarian and literary than political or philosophical.

The recent history of existing Catholic missions in the islands of the Pacific Ocean and the South Seas, as told from a strictly French and Catholic point of view, has a peculiar interest of its own, if not from its probable veracity, at least from its gracefully romantic and enthusiastic dress. The biography of Marceau, a French sailor, who is the hero of M. Julien's narrative,²⁵ is of itself extremely interesting, and no doubt reflects some of the most characteristic merits of the Catholic mode of social organization when expressed at its best. In early life, when at the *École Polytechnique*, Marceau seems to have imbibed the socialistic conceptions of Saint Simon and his followers, and then to have been attracted by the larger and profounder, though more humanitarian, system of M. Comte. While still a young man, he was rewarded with the Cross of the Legion of Honour for special naval services. He was then engaged in one naval operation after another of no great importance, and passed through different religious phases, which terminated in his becoming apparently a sincere Catholic, and conducting a partly commercial, partly religious, expedition towards the South Seas. Before this he seems to have been engaged at Toulon and elsewhere in social efforts of a really enlightened character for the good of the young, the poor, and those belonging to the military and naval depôts. Were this little book a real picture of

²² "The Gaming Table: its Votaries and Victims, in all Times and Countries, especially England and France." By Andrew Steinmetz, Esq. In Two Volumes. London: Tinsley. 1870.

²³ "Paris; ses Organes, ses Fonctions, et sa Vie, dans la Seconde Moitié du Dix-neuvième Siècle." Par Maxime du Camp. Tome deuxième. Paris. 1870.

²⁴ "Round about Piccadilly and Pall Mall; or, a Ramble from the Haymarket to Hyde Park." By Henry B. Wheatley. London: Smith, Elder, and Co. 1870.

²⁵ "Les Commentaires d'un Marin." Par Félix Julien. Paris. 1870.

the existing life, power, and social capacity of Catholicism, this form of religion would not be long in beating all its competitors out of the field.

The point of view from which a Colonial Governor looks upon the politics of the country he administers, whatever the special opportunities or restrictions of the situation, is at least favourable to seeing much which no other person at home or abroad can see. Sir William Denison, in his two most interesting volumes of the "*Varieties of Viceregal Life*,"²⁶ gives a good deal of his own experience while governor of Norfolk Island, Tasmania, and Madras. Much of the matter is conveyed in contemporary letters by the author to friends or persons in authority at home, or in letters and journals of members of the author's family. A vast number of topics are brought into the field, extending from the minutest details of customs, ceremonies, geological, and commercial or industrial peculiarities, to the accounts of the most critical political events. Many passages occur deserving special attention as political suggestions or recommendations proceeding from a source of the highest authority. For instance, in a letter dated July 14, 1858, to Captain Clarke, Surveyor-General of Victoria, Sir W. Denison has occasion to allude to the question of the defence of the colonies, as to which he says that "he sees no reason to alter his views as to the propriety of adopting a plan, or rather a principle, analogous to that which regulates our postal arrangements—namely, that the mother-country and the colony should contribute in equal proportions; the colony paying for the erection of forts, barracks, &c.; the mother-country building and maintaining any vessel or vessels required for *local* defences, such as gunboats, &c. The colony would thus furnish half of the pay and allowances of soldiers and sailors." Sir W. Denison gives a very interesting account of all the difficulties with the Maories in New Zealand from the very outset. He points out how these difficulties originated in the fraudulent and grasping habits of the colonists in respect to land, and, on the formation of a government in the colony, became intensified through the one-sided way in which the claims of the Maories, as subjects of the Government equally with the colonists, were practically overlooked. Thus the Government availed themselves of an engagement entered into by the Maories to sell their land to the Government only, and, after purchasing the land from the natives at nearly nominal prices, such as from a penny to sixpence per acre, resold it the white settlers at ten shillings, appropriating the proceeds as part of the revenue of the colony. Again, all articles imported, whether for Maories' use or for that of the white population, paid duty at the port of entry, and the proceeds of the customs, as well as of the land, were appropriated by the white Legislative Assembly, in which the Maories had no voice either as electors or elected. Seeing how little the Government cared or did for them, and sensible of the benefits which would accrue to them from unity of action among themselves, they took the very natural

²⁶ "*Varieties of Viceregal Life.*" By Sir William Denison, K.C.B. In Two Volumes. London: Longmans. 1870.

step of electing a single chief as their representative, and the very foolish step of calling him king. Sir W. Denison recommends that there should be suggested to the Maories the necessity of defining and limiting the power of the person who has been elected as chief or king, and of establishing some system of legislation, simple, of course, at first, but capable of being modified and improved.

The author of "American Opinions on the *Alabama*, and other Political Questions," has just completed a long tour of several months' duration in Great Britain and Ireland, and in most of the countries of Europe.²⁷ In the course of this tour a number of questions were constantly being discussed in the author's presence, as the nature and value of the institutions of the United States, the relations of the States to other countries, and especially to England, and the personal character and temperament of the citizens of the States. The contributions by the author to the solution of such questions form the subject of a really interesting pamphlet, which starts from a categorical description of the meaning of such terms as "Government," "Republic," "Democracy," "National Unity," and the like, and proceeds to give the exact history of the *Alabama* difficulty, coupled with such suggestions as may lead, if adopted, to its being finally cleared away. The whole of the treatment of this last problem coincides with all else that is the expression of the best American opinion upon it, that is, that, first, the real ground of complaint against England is the want of "friendliness," and of intense sympathetic feeling betrayed from the moment of first receiving notice of the character of the *Alabama*; and secondly, of England's false position when attempting to escape from her international obligations, through alleged defects in her municipal law.

Lord Milton has done great service to the English public by calling their attention to a pending question between the English and the United States Governments, in reference to the Island of San Juan and the adjoining waters.²⁸ If England is to retain Canada and the colony of British Columbia, it is not easy to exaggerate the importance of maintaining a clear communication from Canada to the Pacific Ocean and the British island-dominions adjacent to the coast. The public documents published by Lord Milton show that the United States Government appreciate even more than we do the value of the Island of San Juan, as the "Cronstadt of the Pacific," and there is little doubt that if San Juan and certain neighbouring islands are lost to England, British Columbia, and, shortly, Canada will be forced into confederation with the United States.

A valuable help to the discussion of the colonial question generally, and the question of protection especially, is supplied by the "Statistics of New Zealand for 1868,"²⁹ arranged under sub-heads, as population,

²⁷ "American Opinions on the *Alabama* and other Political Questions." By John W. Dwinelle. London: Quaritch. 1870.

²⁸ "A History of the San Juan Water Boundary Question." By Viscount Milton, M.P. London: Cassell. 1869.

²⁹ "Statistics of New Zealand for 1868: compiled from Official Accounts." Wellington. 1869.

immigration and emigration, births, deaths, and marriages, trade and interchange, revenue, waste lands, sales, &c., banks, joint-stock companies, prices of provisions and live stock, post-office, savings banks, telegraph lines, public schools, legal and criminal statistics, meteorology.

It is not often we have an opportunity of getting a complete and accurate knowledge of a country like Hungary, lying, as it does, a little out of the beat of ordinary travellers, and not victimized by competing correspondents of daily papers, such as given in the two exhaustive though not large volumes of Mr. Patterson.³⁰ Mr. Patterson has not lost sight of any of the main classes of facts round which the popular and political interest in a country like Hungary must turn. To the question of nationality and of the rivalry between Protestantism and Catholicism he has paid minute attention. His long residence in the country enables him to speak on this and on all other like perplexed questions in a very different way from that alone possible to a casual tourist or a professional spy. His work will probably take its place as a standard work on the subject of which it treats.

An account of the operations of the reconnoitring party despatched from Bombay on the 16th September, 1867, into the country of Abyssinia has not yet been given. Colonel Wilkins, of the Bengal Engineers, has supplied the want by a detailed history of all that the party did or saw from their arrival at Massowah, as well as all that they ascertained before their arrival there.³¹ The work is elaborately printed and ornamented, and contains some exquisitely tinted sketches of scenery.

A curious and very genuine view of Egyptian life in high places is afforded by Mrs. William Grey's account of her visit to Egypt in the suite of the Prince and Princess of Wales.³² The book was not written originally for publication, and reads all the more naturally and truthfully in consequence. The story of the visit to the Pasha's harem is particularly valuable, as so much has not been often disclosed before. It is said that the Pasha is doing all he can to "change, or rather, to improve, the ideas and habits about ladies."

Dr. Van Lennep's "*Travels in Little-known Parts of Asia Minor*"³³ is full of quaint, strange, and picturesque facts, as well as of much antiquarian research.

There are many separate grounds upon which it may be looked for, that the reconstruction of the British Army will very shortly become one of the most urgent of all political questions. Mr. Clode's systematic and well-filled work on the "*Military Forces of the Crown*" will

³⁰ "*The Magyars: their Country and Institutions.*" By Arthur J. Patterson. In Two Volumes. London: Smith, Elder, and Co. 1869.

³¹ "*Reconnoitring in Abyssinia: a Narrative of the Proceedings of the Reconnoitring Party, prior to the Arrival of the Main Body of the Expeditionary Field Force.*" By Col. H. St. Clair Wilkins. London: Smith, Elder, and Co. 1870.

³² "*Journal of a Visit to Egypt, Constantinople, the Crimea, Greece, &c., in the Suite of the Prince and Princess of Wales.*" By the Hon. Mrs. William Grey. London: Smith, Elder, and Co. 1869.

³³ "*Travels in Little-known Parts of Asia Minor.*" By Rev. H. J. Van Lennep, D.D. In Two Volumes. London: Murray. 1870.

then be in great request.³⁴ Every institution, regulation, and law having reference to the subject is traced to its historical source, and every kind of comment upon such, from dead or living authorities, is laid hold of by way of illustration or explanation. The portion of the second volume on the Riot Act, the Jamaica case, and the relations of the civil and military forces, will be read with especial interest.

Mr. Sonnenschein and Mr. Nesbitt's little work on the "Science and Art of Arithmetic"³⁵ is a rich contribution to education in the highest sense, giving, as it does, really correct and precise ideas, teaching the pupil to think, and making study and intellectual exercise pleasant and invigorating, instead of repulsive and stupifying. This work, as well as the catechetical teaching of the authors, is spoken of in the highest terms by those most competent to judge.

Mr. Girdlestone's more advanced works³⁶ are also of high merit, and betoken a like apprehension of the value of true philosophic methods in their bearing on the most elementary teaching of Arithmetic as of all other things.

The popularization of Geography, both descriptive and pictorial, is another marked educational phase of the day. Mr. Bartholomew, in his cheap and excellent "Hand Atlas of the World,"³⁷ and Mr. Johnston in his Physical Atlas,³⁸ and the valuable little descriptive note-book that now accompanies it, have done a vast deal to facilitate the popular study of politics, history, and travels.

SCIENCE.

THE work by Dr. H. Schellen on spectrum analysis originated in a series of lectures given by the author before a scientific institute at Cologne.¹ It will, we fear, scarcely satisfy either the professional physicist or the scientific student of the subject, nor will it fulfil the just expectation of any intelligent man who is desirous of obtaining some information on that novel method of research which in the short time since it was first applied has, in the hands of astronomers, che-

³⁴ "The Military Forces of the Crown : their Administration and Government." By Charles M. Clode. In Two Volumes. Vol. II. London : John Murray. 1869.

³⁵ "The Science and Art of Arithmetic, for the Use of Schools." Part I. Integral. By A. Sonnenschein and H. A. Nesbitt. London : Whittaker. 1870.

³⁶ "Arithmetic : Theoretical and Practical." By W. H. Girdlestone, M.A. Second Edition. Rivingtons. 1870.

"Arithmetic : Theoretical and Practical." School Edition. By W. H. Girdlestone, M.A. Rivingtons. 1870.

³⁷ "A Descriptive Hand Atlas of the World." By J. Bartholomew. Parts IX. & X. London : Fullarton.

³⁸ "Handbook of Physical Geography." By Keith Johnston, F.R.G.S. Edinburgh : W. & A. K. Johnston. 1870.

"The Half-Crown Atlas of Physical Geography." By Keith Johnston, Jun. Edinburgh : W. & A. K. Johnston. 1870.

¹ "Die Spectralanalyse in ihrer Anwendung auf die Stoffe der Erde und die Natur der Himmelskörper." Von Dr. H. Schellen. Braunschweig : Georg Westermann. 1870.

mists, and physiologists, led to so vast a number of the most important results. The principal reason of Mr. Schellen's shortcoming is, that like most men who publish lectures on any branch of science, he has been unable to sacrifice, to the attainment of a terse, clear, and continuous exposition of the facts, his endless appendages of ornamental and poetic diction. The author has divided his subject into three parts, of which the first treats on the artificial sources of the most intense degrees of heat and light. This part contains a most elementary statement of some chemical facts, of which hardly a single one is not well known to everybody who possesses a moderate degree of education; while, on the other hand, the author's instructions on the properties of oxygen, hydrogen, on the luminosity of flame, on Bunsen's burner, on the combustion of sodium and potassium, on the oxyhydrogen flame and its application in the lime light, and especially the extremely superficial remarks on the electric spark and the phenomena in Geissler's tubes—are all but valueless, and might be well entirely suppressed in a future edition of the work. Also the second part, which introduces the reader at last to the subject on which the work treats, might without disadvantage be considerably condensed. It is in this part that the nature of the different spectra produced by bodies in different states of aggregation is described, and the application of the method to terrestrial bodies discussed. The author appears to have little acquaintance with the more refined instruments of analysis now in use; his descriptions refer only to the most simple experimental arrangements, and any one desirous of obtaining from him some guidance or instruction in working with the spectroscope would be disappointed. The third division is exclusively devoted to the astronomical results obtained by spectrum analysis. This part of the work is undoubtedly a desirable and valuable addition to our literature. The author has not only assiduously collected all facts hitherto discovered, and has brought them before his readers in a very clear and attractive manner, but he has also enabled them in many cases to form their own opinion on some theoretical questions which are still doubtful, by separating in a very lucid manner those points in any controversy which require further observations for any definite decision on them, from those which are well established. Thus the various theories on the physical constitution of the sun are explained with an admirable perception of the delicate points in dispute, while the glorious results derived from recent eclipses are stated in historical order, and will be of the highest interest to the general reader. This part of the work is well illustrated, and the whole, if stripped of those superfluities which we have indicated, would, in an English version, form an excellent exposé of the results of spectrum analysis brought up to the present day.

There is probably nothing connected with domestic comfort in which we in England are more behindhand than with regard to the warming of our houses—a circumstance which may perhaps be due to the uncertainty of our climate, in which a continuance of cold weather can never be calculated on. Here and there in large houses, and especially in those which belong to their occupants, we may find some system of general warming and ventilation adopted; but in the great majority

of the dwellings inhabited by our middle classes, and in almost all those erected by speculators, no provision whatever is made for warming the general atmosphere of the passages and staircases, or effecting any sort of ventilation. And yet the influence of such arrangements upon the comfort and health of the inmates of a house is very great, and by judicious management they may even be made to maintain a uniformity in the internal conditions of the house, in spite of variations in the weather, such as can never be produced by our ordinary heating processes. Some four years ago (January, 1866), we had occasion to notice an excellent work on "Our Domestic Fireplaces," by Mr. Frederick Edwards, and once or twice subsequently we have called attention to other books published by him relating to systems of warming and ventilation, and to the principles on which chimneys should be constructed. In a new edition of the above-mentioned work,² just published, Mr. Edwards has furnished a sort of *résumé* of the results of his investigation of the subject of domestic warming and ventilation. Thus it not only includes a critical description, illustrated with figures, of the numerous stove-grates and stoves now in use, with a good discussion of their relative advantages and disadvantages, but indicates the principles to be adopted if we wish to get the greatest amount of benefit from the combustion of coal in open fireplaces, which Mr. Edwards recognises as a national system of heating not likely to be easily supplanted. These principles, as laid down in the author's third chapter, are almost self-evident: they consist in the use of the best form of grate, with fire-brick instead of iron for the sides and back—in checking the escape of the heated air into the chimney—in furnishing the fire with air by means of a special flue, so as to prevent draughts from the doors and windows, and in utilizing the heat which necessarily escapes up the chimney. For the last-mentioned purpose the author, in his work on Ventilation, proposed the adoption of a system consisting of a common smoke-flue for all the fireplaces in one vertical series of rooms, surrounding this with an outer flue in which air would be heated, and from which it might be allowed to escape into the upper apartments. In the present work he also describes other systems of general warming by the circulation of hot water, steam, and hot air, and the whole forms a handbook which ought to be in the hands of everybody who has to do with the building of houses. The illustrations, which are neatly engraved in outline, occupy twenty-four plates.

In examining Mr. Rich's translation of M. Sonrel's little book, "The Bottom of the Sea,"³ one is at a loss to decide which of the two gentlemen concerned in it is best fitted for the task undertaken by him. When an author, writing on Natural History at the present day, repeats the old story of the argonaut sailing with extended arms at the surface of the sea,—describes the change of skin in the lobster as com-

² "Our Domestic Fire-places." A New Edition, entirely Rewritten and Enlarged, the Additions completing the Author's Contributions on the Domestic Use of Fuel and on Ventilation. By Frederick Edwards, Jun. 8vo. London: Longmans. 1870.

³ "The Bottom of the Sea." By L. Sonrel. Translated and Edited by Elihu Rich. Small 8vo. London: Sampson Low & Co. 1870.

mencing by the opening of the joints of the armour along the belly of the animal,—and states that the hermit crabs protect themselves by inserting their tails into the abandoned shells of brother *crustaceans*, we may be pardoned for thinking that he is not specially well-informed upon the subject on which he is discoursing. But M. Sonrel's translator has contrived to err in his own department with even greater brilliancy. According to Mr. Rich, the favourite shell inhabited by *Pagurus Bernhardus* is "the *Coquilla univalva*!" As the only signification we could attach to the word "*coquilla*" is "a little cook-maid," we were doubtful whether our author, who believes that mankind learned the art of navigation from the argonaut, might not have intended here to insinuate that our *militaires* have imitated from the soldier-crab their not unfrequent practice of quartering themselves in kitchens. The epithet "*univalva*," however, negatived this hypothesis, and we were reluctantly compelled to fall back upon the notion that first suggested itself, namely, that the translator did not know that a "*coquille univalve*" is a "*univalve shell*." If ignorance is bliss, Mr. Rich's sensations when translating French works on natural history must sometimes be truly ecstatic! It is only fair to add, however, that natural history seems to be M. Sonrel's weak point, and that some other parts of his book relating to the physical geography of the sea are fairly executed. The illustrations are pretty good, although far inferior in beauty to many of those in other French popular scientific books.

Considering the multitude of so-called popular books which treat various departments of Physical Geography from a more or less sensational point of view, and, so far as our experience enables us to judge, really produce a very slight effect upon the minds of their readers, it is satisfactory to find that an educational work treating in a serious manner of the whole science of Physical Geography, is so well received as to enable its author to bring out new editions of it at comparatively short intervals. This is Professor Ansted's "*Physical Geography*,"⁴ of which the fourth edition is now before us, the last issue having taken place in 1868. Of course a certain amount of this prosperity is due to the fact that physical geography forms a prominent article in school-teaching now-a-days, and that the choice of English manuals on the subject is by no means a large one, but it is nevertheless satisfactory to think that so large a number of treatises in which the physical characters of the earth and the phenomena taking place upon its surface are described in a clear and philosophical manner, should be in one way or another scattered in the hands of the general public. With Professor Ansted's little volume at hand, the picturesque details given in the more popular works above alluded to may be even more highly enjoyed by their readers, whilst the danger of being led astray by erroneous statements will be greatly reduced. The general treatment of his subject by Professor Ansted will be easily understood from the following indications of the sections into which he divides it:—In his first, or introductory part, he gives a short account of the

⁴ "*Physical Geography*." By David Thomas Ansted, M.A., F.R.S. Fourth Edition. Small 8vo. London: W. H. Allen. 1870.

cosmical relations of the earth, and indicates briefly the nature of the physical forces and the most general and important doctrines of geology; in his second and third parts, he describes the solid and fluid parts of the earth's surface; and in a fourth, the phenomena of the atmosphere, including the production of clouds and rain. A fifth part is devoted to the consideration of volcanoes and earthquakes; and in the sixth and last the author treats at some length on the geographical distribution of plants and animals and of the races of man. The work is illustrated with six outline maps, which, although but small, will be found exceedingly useful.

Under the present aspects of Natural History there are few questions of more importance than the geographical distribution of plants and animals, as it is by an intelligent working out of this in connexion with the study of the correlative palæontological facts, that the great revolution which has been brought about by Mr. Darwin's writings must be finally completed and consolidated. Mrs. Lyell has furnished a valuable contribution to this great end in her "Geographical Handbook of Ferns,"⁵ which includes a list of all the described species of that interesting and important group of plants, arranged under geographical headings, with full indications of the precise localities in which each species has hitherto been collected. The general results are summed up in a series of tables at the end of the little volume, showing at a glance the regional and subregional distribution of all the species. The work must have been one of great labour, and will prove of the highest value to the philosophical botanist.

Under the title of "Protozoe Helvetica,"⁶ the MM. Ooster have commenced the publication of a work intended to furnish descriptions and figures of remarkable fossils from the sedimentary rocks of Switzerland. The first volume, which appeared last year, contains an account of the fossils of a remarkable bed of red limestone near Wimmis, in the Bernese Oberland, with a discussion of the position to be assigned to the bed, which is referred with some doubt to the Jurassic series. The occurrence of a species of *Inoceramus* of cretaceous aspect in this bed leads the author to give descriptive figures of the known Swiss Jurassic species of the genus. Another interesting memoir is on the fossils referred to the genus *Zoophycos*, supposed to be the remains of curious spiral funnel-shaped Algæ, of which traces occur in Switzerland throughout the series of secondary rocks. A remarkable fossil Sertularian zoophyte from the Rhætic beds, is also described and figured with some other fossils in this paper.

The authors of the work just noticed have also published a valuable contribution to Geology,⁷ in a description, illustrated with good figures,

⁵ "A Geographical Handbook of all the known Ferns; with Tables to show their Distribution." By K. M. Lyell. Small 8vo. London: Murray. 1870.

⁶ "Protozoe Helvetica. Mittheilungen aus dem Berner Museum der Naturgeschichte über merkwürdige Thier- und Pflanzenreste der Schweizerischen Vorwelt." Herausgegeben von W. A. Ooster und C. von Fischer-Ooster. 4to. Basle and Geneva: H. Georg. 1869.

⁷ "Le Corallien de Wimmis." Par W. A. Ooster. Avec une Introduction Géologique, par C. de Fischer-Ooster. 4to. Geneva and Basle: H. Georg. 1869.

of the fossils of the Coralline limestone of Wimmis, preceded by a geological notice of the formation as exhibited in that locality. This memoir possesses general interest for geologists from the doubtful relations of the beds, which are such as to lead the authors to assume the occurrence of a complete reversion of the stratification.

In M. Gavarret's little treatise on the "Physical Phenomena of Life,"⁸ we have a thoughtful handbook of this most important department of biological science. For M. Gavarret life is a physical phenomenon, the study of which can by no means be separated from that of the other physical sciences. After a short introduction he commences by indicating the circulation of matter through the organized world, and the relations of animals and plants in this process. He then proceeds to demonstrate that there is a similar circulation of force, and from the consideration of all the phenomena he dismisses the idea of a special vital force. Hence he regards the spontaneous production of organisms as by no means philosophically inadmissible, although he admits that in the present state of science it is impossible to demonstrate its occurrence experimentally.

In a stout octavo volume of nearly 600 pages M. Paul Bert has published a course of lectures on the Physiology of Respiration,⁹ delivered by him two years ago at the Museum of Natural History in Paris. The great peculiarity of these lectures is their experimental character; throughout, wherever an experiment could be performed in the theatre, M. Bert seems to have availed himself of it; and as the contrivances employed are all fully described and generally illustrated by figures, physiological lecturers will find in this work a good many valuable hints in case of their wishing to follow a similar course. At starting M. Bert gives a succinct history of the opinions which have been entertained at different times as to the nature of the respiratory function, and the part played by it in the animal economy; he regards Lavoisier as the real founder of the modern theory of respiration. The author then discusses the nature of the function of respiration, which he regards as including the totality of the phenomena involved, and therefore as being really completed in the tissues. He then examines into the nature of the gases contained in the blood, and the condition in which they exist in that fluid, discusses the two modes of respiration, aquatic and aerial, and describes at considerable length the various forms of the respiratory apparatus exhibited in the animal series. This last portion of the work will be most interesting to the general reader. In succeeding lectures the author enters in great detail upon the investigation of the general phenomena of respiration, in which he makes great use of the graphic method of experimentation which has now become so popular in France. M. Bert's work is an exceedingly valuable one, and contains the results both of conscientious personal investigation, and of a wide acquaintance with the literature of the subject. His list

⁸ "Les Phénomènes Physiques de la Vie." Par J. Gavarret. Small 8vo. Paris: Masson. 1869.

⁹ "Leçons sur la Physiologie comparée de la Respiration, professées au Muséum d'Histoire Naturelle." Par Paul Bert. 8vo. Paris: J. B. Baillière. 1870.

of books and memoirs referred to includes 243 articles, and there is sufficient evidence in his treatment of derived materials that these works have really been carefully studied by him. The illustrations are numerous and generally good.

Of Dr. Frey's "Manual of Human Histology and Histochemistry," we have received a third edition.¹⁰ It contains a carefully prepared and profusely illustrated description of the elementary constituents of the body, and is rendered still more useful to students by the ample lists of special works and memoirs referred to under each section. Dr. Frey adopts a classification of his subject founded chiefly on the theory of the cellular origin of all tissues, of which he distinguishes the following groups:—1, tissues consisting of simple cells with a fluid intercellular substance (blood, lymph, and chyle); 2, tissues of simple cells with a scanty, solid, homogeneous intercellular substance (epithelium and nails); 3, tissues of simple or metamorphosed and sometimes amalgamated cells in a partly homogeneous, partly fibrous and generally solid intercellular substance (connective group; cartilage, fatty tissue, ligaments, bones, teeth, &c.); 4, tissues of metamorphosed but generally not amalgamated cells, with a homogeneous, sparing, solid intercellular substance (enamel, lens-tissue, muscular tissue); and 5, composite tissues (nervous tissues, glandular tissues, vessels, and hairs).

Of another manual of Histology we have just received the third part.¹¹ This describes the elementary composition of the organs of the body both in man and animals, and consists of a series of chapters upon the structure of the different organs and systems of organs by some of the first physiologists of Germany, the whole edited by Dr. S. Stricker. In the present part the following subjects are treated of:—The intestinal canal, the liver, the respiratory and urinary organs, the organs of reproduction, the skin and its appendages, and the serous membranes. Most of the illustrations, which are numerous, are very well executed.

The Anthropological Society have collected in a third volume the most important papers read during the years 1867-8-9.¹² Those interested in the study of primæval man will find papers on ancient British skulls, by Dr. Thurnam; on the skulls of the round barrows of the South of England, by Mr. Carter Blake; on the Cairns of Caithness, by Mr. Anderson; and on the Belgian Bone Caves, on the banks of the Lesse, by Mr. Carter Blake. The anthropology of modern nations is illustrated by papers on the tribes of Madagascar, the skeletons of the Ainos of Yesso, on the gypsies of Bengal, the Indians of the Mosquito Territory, and on inhabitants of Sarawak,

¹⁰ "Handbuch der Histologie und Histochemie des Menschen, Lehre von den Form- und Mischungs-Bestandtheilen des Körpers." Von Dr. Heinrich Frey. Dritte umgearbeitete Auflage 8vo. Leipzig: Engelmann. 1870.

¹¹ "Handbuch der Lehre von den Geweben des Menschen und der Thiere." Herausgegeben von S. Stricker. Lieferung III. 8vo. Leipzig: Engelmann. 1870.

¹² "Memoirs read before the Anthropological Society of London, 1867-8-9." Vol. III. London: Longmans. 1870.

Vancouver's Island, Venezuela, and Bretagne, forming a valuable collection of facts for the natural history of man. And in conclusion, Dr. Beddoe, the president, prints a paper which is a book in itself upon the Stature and Bulk of Man in the British Isles. He gathers his statistics from returns furnished to him from volunteer corps, lunatic asylums, gaols, recruiting officers, and private sources. These tables are very numerous, and we have not space to give even a summary of the conclusions arrived at, but the whole is of great interest. The average height of the adult Englishman is, he says, between 5 feet 6 and 5 feet 7 inches, the mean of the English lunatics being no more than 5 feet 5 $\frac{3}{4}$ inches. The criminal statistics point to nearly the same conclusion. The average for Scotland is as high as 5 feet 7 $\frac{1}{2}$ inches: that for Ireland nearly the same as the English. For the ethnological conclusions we must refer the reader to the paper itself.

Dr. Gordon has put together some brief biographical notices of the principal army surgeons, and the work to which they devoted themselves.¹³ He goes some way back in history, for the first person he mentions is *Æsculapius*, who was, he says, a navy surgeon, inasmuch as he accompanied Castor and Pollux in the *Argo*, but on the return of the expedition "set up in private practice." He gives an interesting account of our principal officers of modern times, and of the various epidemics which they have encountered throughout the wide region in which British troops are or have been quartered.

Dr. Norton's little work¹⁴ is not so much a work on infantile diseases as an essay on the improper feeding of infants, with the evil results thereof. With much that the author says we cordially agree, but we cannot admit that "it is a matter of indifference" whether a child gets breast-milk, or cow's milk diluted with warm water. That a very young infant cannot take starch food is perhaps more known than Dr. Norton thinks, but it is, we believe, certain that for many delicate infants there is absolutely no substitute for breast-milk.

Dr. Leared tells us that five thousand copies of his book have been sold, and the sale steadily improves.¹⁵ Consequently there is no occasion for us to notice it at length. It is written specially for the dyspeptic patients, not for those who treat them, and contains a short account of the anatomy and physiology of the peccant viscera in a popular form.

Dr. Arthur Gamgee, in his introductory lecture,¹⁶ criticises Professor Huxley's doctrine of Protoplasm, from which he dissents mainly on the ground that vitality is now as much as ever a secret hidden from us. He asserts that the processes of our body are governed and directed by

¹³ "Remarks on Army Surgeons and their Works." By Charles Alexander Gordon, M.D., O.B. London: Lewis. 1870.

¹⁴ "On the Causes, Prevention, and Treatment of Infantile Diseases." By Selby Norton, M.D. London: Churchill. 1870.

¹⁵ "The Causes and Treatment of Imperfect Digestion." By Arthur Leared, M.D. Fifth Edition. London: Churchill. 1870.

¹⁶ "On Force and Matter in Relation to Organization." By Arthur Gamgee, M.D., F.R.S.E. Edinburgh: Maclachlan. 1869.

vitality, assigning the term to the directive and governing power which has been implanted in the tissues of the living organism.

The *vetata quæstio* of the origin of the Non-Restraint System of Treating Lunatics is revived by Dr. Gardiner Hill,¹⁷ who claims to have been the author of the method. The book is chiefly devoted to the establishing of the claim of Dr. Hill, and questioning that of Dr. Charlesworth, to whom the credit has been given, we are told, by no less a person than Dr. Conolly, who probably in the eyes of the world has generally passed as the originator of it. Dr. Charlesworth was the visiting physician of the Lincoln Asylum, and being a kind man he tried to improve and make more tolerable the instruments of restraint in use there. Nevertheless, when Dr. Hill became resident-surgeon, in 1835, restraint was in constant use, and had been in all previous years. In 1838 it was totally abolished. We think that Dr. Hill's assertions and statistics are quite unanswerable.

In a series of readable and gossiping essays Dr. Inman reviews the principal maladies which a physician is called upon to treat.¹⁸ They are full of sound practical reflections by one who has observed much, and gives us here the results of his experience. Though they may be read by non-medical readers, they will afford many useful hints and suggestions to physicians also.

We do not think that students or dispensers will gain much from Mr. Owen's pamphlet.¹⁹ Students must know a great deal more about the British Pharmacopœia than they are told here, and we do not see what a dispenser has to do with the operations or uses of medicines.

Our amateur farmers, of whom there are now so many, both ladies and gentlemen, will derive pleasure and profit from the perusal of M. Sanson's work on the Hygiene of the Domestic Animals, the Horse, the Cow, the Sheep, and the Pig.²⁰ He discusses clearly and distinctly the conditions of their healthy existence, the air they are to breathe, the food they are to eat, their exercise, and the laws of their reproduction. In many respects his precepts differ from those we are accustomed to hear, and it is interesting to read how such matters are managed in France. We do not often construct our piggeries so as to give the inhabitants the opportunity of bathing in a running stream; but we think it quite possible that they would be the better for it. Oxen, too, he treats of as beasts of draught. In this country we rarely now see them in this capacity, and we suppose that with the introduction of steam ploughs we shall be less and less contented with their slow progression. But in France they are still worked in most departments.

No subject is more interesting to the practical physician, the jurist,

¹⁷ "Lunacy: its Past and Present." By Robert Gardiner Hill. With Appendix. London: Longmans. 1870.

¹⁸ "On the Restoration of Health." By Thomas Inman, M.D. Lond. London: Lewis. 1870.

¹⁹ "The Shilling Manual of Pharmacy: a Class Book for Students, and a Counter Book for Dispensers." By O. Davis Owen. London: Simpkin. 1870.

²⁰ "Hygiène des Animaux Domestiques." Par André Sanson. Paris: Masson. 1870.

or the psychologist, than that of Feigned Diseases, and we have thereon a valuable monograph in the lectures of M. Boisseau.²¹ In his capacity of military surgeon, M. Boisseau has had ample opportunity of observing malingerers; in fact, no medical man, save the surgeons of the army and of gaols, can pretend to write on this subject. Of some maladies it is not difficult to detect the simulation, as for example epilepsy, but it is not always easy to say whether a man is insane or imbecile, or shamming, and we think the hints given upon this matter are useful. One remark which M. Boisseau makes should not be forgotten. It is, he says, dangerous to imitate insanity, and often those who begin as imitators end by really becoming insane. In detecting feigned insanity he does not mention the use of galvanism, which in this country has proved highly efficacious. The account of the simulation of diseases of the skin, the eye, and the nasal passages shows the ingenuity with which malingerers will try to deceive the medical officer. In general diseases he reminds us that we may derive valuable assistance from the sphygmograph.

Professor Ambroise Tardieu's medico-legal essay on "Hanging, Strangulation, and Suffocation," may be read with great profit and interest by all who are likely to be called upon to give evidence in cases of homicide or suicide from such causes.²² It is one of those careful and exhaustive monographs put forth by French experts who examine every medico-legal case in a way that utterly puts to shame our administration of justice, and who are thus able to give us the result of their experience in such a work as the present. M. Tardieu discusses not only the effects of hanging, immediate and secondary, and the post-mortem appearances, but the question of suicide or homicide, of hanging preceded by strangulation, of accidental hanging, and so on. And he gives some dozen plates of persons who have committed suicide by hanging themselves from points which freely admitted of their standing on their feet, thus showing that to a man determined on suicide a fixed point, be it only three feet from the ground, and a strip torn off a shirt, are all that are necessary. The signs of strangulation and suffocation are most carefully set forth, and the question of accident, suicide, or homicide estimated. The whole is illustrated by cases, many of them of great public interest, which have happened in France of late years. We commend this book to the notice of those who are teachers of medical jurisprudence in our own schools.

M. Lorain proposes to give us a series of volumes containing observations of disease made by means of various instruments, the thermometer, the dynamometer, &c.; and as the first instalment we have the present work on the sphygmograph.²³ After giving an account of the writings of all who have contributed to the subject, he describes the

²¹ "Des Maladies Simulées. Leçons professées au Val-de-Grace." Par le Docteur Edm. Boisseau, Médecin-Major. Paris: Baillière. 1870.

²² "Etude Medico-legale sur la Pendaison, la Strangulation, et la Suffocation." Par Ambroise Tardieu. Paris: Baillière. 1870.

²³ "Le Poulx, ses Variations et ses Formes diverses dans les Maladies." Par P. Lorain. Paris: Baillière. 1870.

method to be pursued, and then presents the characteristic traces of the pulse in a great variety of maladies. His illustrations are large, and extremely clear and well drawn, and indicate the variations to be expected in different morbid states. He devotes a considerable space to the illustration of the pulse of puerperal women during and after confinement, in puerperal fever, puerperal mania, and hæmorrhage. Whether as a guide to the sphygmograph, or as a record of observations, the work is valuable.

Mr. Le Gros Clark has collected in a volume the lectures which were delivered by him before the College of Surgeons, and were afterwards published in the *British Medical Journal*.²⁴ It is impossible that any subject can be of greater interest, and we have no doubt that Mr. Clark's book will be read by every surgeon, and kept as a work of reference. Those who know the difficulty of forming a diagnosis of visceral lesions, especially when complicated by shock, will feel the advantage of being able to read these essays, carefully prepared as they were to be enunciated before the critical audience in Lincoln's Inn Fields. In these days of railway accidents surgical diagnosis has assumed an importance, so far as the public is concerned, greater than it formerly possessed. To Mr. Clark's observations on this point we call attention.

The skilfulness of the doctors of our own day is impugned by Dr. Elam, who here reproduces the papers he last year sent to the *Lancet*, with the criticisms upon them which appeared in the same paper, and his own reply to the latter.²⁵ Dr. Elam thinks the success of the medical men of the present day in healing disease is less than it was twenty-five or thirty years ago; and that this is proved by the fact, as ascertained by the Registrar-General's returns, that the average death-rate is gradually increasing; and also by the fact that men die now at an earlier age than they did thirty years ago. Now, without criticising the figures, we would ask Dr. Elam how far these facts, if they are facts, are to be laid at the door of medical men's want of skill in treating disease? He does not charge them with lack of skill in preventing, but only in treating disease; but it is clear that before any conclusion can be arrived at upon the Registrar's figures, we must ascertain how many of those dying were ever treated at all by a regularly qualified doctor, and how many were treated at a time and in a manner calculated to give the treatment a chance of success. We believe that the children who die under the age of one year form a quarter of the whole annual mortality of the country. Does Dr. Elam think these deaths a test of the skill of medical men?

We turn to a much more philosophical essay upon the subject.²⁶

²⁴ "Lectures on the Principles of Surgical Diagnosis, especially in Relation to Shock and Visceral Lesions." By F. Le Gros Clark, F.R.C.S., &c. London: Churchill. 1870.

²⁵ "Medicine, Disease, and Death: being an Inquiry into the Progress of Medicine as a Practical Art." By Charles Elam, M.D. London: Churchill. 1869.

²⁶ "The Present State of Therapeutics: with some Suggestions for placing it upon a more Scientific Basis." By James Rogers, M.D. London: Churchill. 1870.

Dr. Rogers laments the absence of any fixed principles in the therapeutics of the present day, and devotes himself to the consideration of the cause of this absence. It is due, he says, to our erroneous opinions respecting the action of drugs, and our ignorance of the natural course of disease. Dr. Rogers was formerly a physician at a hospital at St. Petersburg, and has had ample opportunity of observing homœopathic practice, and our readers will find in this work a most clear and unprejudiced review of homœopathic doctrines, homœopathic treatment, and homœopathic opinions gathered from the writings of the most distinguished supporters of this method. He gives the homœopaths full credit for having endeavoured to ascertain by "proving" the action of drugs, but he denies their conclusions; and he gives most interesting details of the "proving" of certain drugs—cinchona, quinine, and sulphur—conducted by Dr. Jörg. He also examines the doctrine of dilutions and infinitesimal doses, but, what is of more interest, he compares the homœopathic and non-homœopathic treatment of certain diseases, as acute articular rheumatism, intermittent fever, typhus, cholera, and pneumonia, and states that the cases treated homœopathically may be regarded as illustrations of the natural course of disease. The book is ably written, and in a very candid spirit of inquiry.

Dr. Althaus has re-written the work he published some ten years ago on *Medical Electricity*.²⁷ We have so few books on this subject that we cannot but feel grateful to any one who will bring the leading facts before us briefly and clearly. This Dr. Althaus has done, and the reader will find a good account of the various methods of applying electrization, galvanization, or faradization. He also summarizes our knowledge of electro-physiology, and the action of the electric current upon the brain and spinal cord, nerves and muscles. The latter portion of the book is devoted to the consideration of electro-therapeutics, and we need hardly say that Dr. Althaus claims for this process a large amount of success. The index to this part reads like that of a work on general medicine, so vast is the range of the disorders which Dr. Althaus would treat by electricity of one kind or other. At any rate there can be no question of its efficacy in many forms of chronic disease and loss of power.

The Construction of Hospitals is a question of the day, and Captain Galton has printed the paper which he read to the British Medical Association at the Leeds Meeting in 1869, together with the discussion which ensued.²⁸ We wish, by the way, that all who reprint papers would reprint also the subsequent discussion, which frequently is of the greatest value. Captain Galton recommends the pavilion plan of construction, with windows on the opposite sides of the ward, with free circulation of air between the pavilions, and plenty of sunshine, the distance between the pavilions being not less than twice the height;

²⁷ "A Treatise on Medical Electricity. Theoretical and Practical." By Julius Althaus, M.D. Second Edition. London: Longmans. 1870.

²⁸ "Address on the General Principles to be observed in the Construction of Hospitals." By Douglas Galton, C.B., F.R.S. London: Macmillan. 1869.

[Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. R R

the pavilions are to be connected by a covered passage only: there should not be more than two floors in a pavilion. In the discussion Sir James Simpson, Dr. Ivory Kennedy, Mr. Hutchinson, Dr. Rumsey, and others took a part, but we must refer our readers to the book.

After the last work we may fitly notice the little *brochure* of Miss Veitch.²⁹ It is not intended for those who know nothing of nursing, but for such as have merely a smattering thereof, and may be read with advantage by every hospital or professed nurse, especially those who have to deal with surgical cases. The ordinary books on nursing go into generalities about sick rooms, windows, fires, and the like, but say nothing about surgical operations and their requirements. Useful hints on this point may be found in this handbook.

Of the little Catechism of Physiology Dr. Mapother tells us an edition was sold in three days.³⁰ It is certainly a wonderful sixpennyworth, and will teach even young children a great deal concerning our bodies and their necessities.

HISTORY AND BIOGRAPHY.

THE history of Freemasonry is no longer obscured by the mythological mists which formerly veiled the origin of an institution which was once the object of a stupid and wondering curiosity.¹ The labours of Anderson, Preston, Laurie, Krause, Kloss, Keller and others, have been turned to good account by J. G. Findel, a translation of whose "History of Freemasonry, from its Origin down to the Present Day," by D. Murray Lyon, in its second edition, lies before us. After looking through the volume, we are quite disposed to echo the opinion of the Berlin preface-writer to the first edition, that the accumulated materials of the author's predecessors are so handled that the reader has at length a complete and universal history of Freemasonry. Respecting the Legend of the Craft, which takes us back to the Temple of Solomon and the Tower of Babel, and which makes Abraham the master of the Seven Sciences and Euclid his docile pupil, Herr Findel is content to claim a merely prosaic antiquity for the institution whose rise and progress he has undertaken to record. The idea of Freemasonry indeed he regards as existing in the remotest ages as a shadowy presentiment, embodied in the Roman building corporations and in the Mediæval Fraternity of Operative Masons; but Freemasonry itself he considers to be an engraftment of the operative guilds whose source

²⁹ "Handbook for Nurses for the Sick." By Z. P. Veitch, late Head Surgical Sister of King's College Hospital. London: Churchill. 1870.

³⁰ "The Body and its Health: a Book for Primary Schools." By E. D. Mapother, M.D. Third Edition. Dublin: Falconer.

¹ "History of Freemasonry, from its Origin down to the Present Day." By J. G. Findel, Editor of the German Masonic Journal "Die Bauhütte," Honorary Member of English, German, French, and Italian Lodges. Second Edition. Revised and Preface written by D. Murray Lyon, one of the Grand Stewards in the Grand Lodge of Scotland, &c. London: Asher & Co. 1869.

is traceable to the building incorporations of the Middle Ages, and pre-eminently to the German Steinmetzen. The first writer who ventured to hint at the existence of a historical connexion between the fraternity of Freemasons and that of the Stonemasons was the Abbé Grandidier, in a historical and topographical essay on the Cathedral of Strasbourg, published in that city in 1782, or perhaps in a private letter addressed to a lady about three years before this date. The masons of Strasbourg early acquired a great reputation. Ervin of Steinbach began the tower of the Cathedral A.D. 1277. Vienna, Cologne, Zurich, and Fribourg constructed towers in imitation of that at Strasbourg. The masons of those fabrics and their pupils formed themselves into a distinctive fraternity of masons, had their hütten or lodges, subordinate to the original grand lodge or *Haupthütte* at Strasbourg. One of the oldest extant charters of Freemasonry is the Halliwell document, which Kloss refers to the period 1427-1445; though Mr. Halliwell himself places it as far back as 1366. The two charters of the masons of York are severally assigned to the years 1370 and 1409; and the two German constitutions of Strasbourg and of Torgau to 1459 and 1462 respectively. The English masons at an early period formed fraternities, the members of which recognised each other by secret signs. The word Freemason occurs for the first time, we are informed, in the Statute 26 Edward III., 1350. Strict morality, equality of members, solicitude for professional improvement, were the significant characteristics of English masonic legislation. In 1717 the Fraternity of Freemasons was separated from architecture. It henceforward formed an association having purely social aims, moral improvement, and the general good of the human race. "As in England Freemasonry developed itself into a union embracing all mankind, so England has been the cradle of Masonic history." In France, though innocent of the charge of having caused the Revolution of 1789, "it cannot for a moment be doubted that Freemasonry, which was benevolent in its aims, fully recognising the dignity of man and the weight of the three fundamental rules accepted by it as law—viz., liberty, equality, and fraternity—greatly assisted in preparing the way and favouring the advancement of those improvements set on foot in the State: and the perfecting of philanthropic views for the establishment of the everlasting and inalienable rights of mankind." In his zeal to vindicate the Society of Freemasons from all connexion with the Knights Templars, the author accepts the accusations brought against that order, and pronounces a decided verdict on a subject on which Hallam hesitated, in a late revision of his historical views, to express a positive opinion. In his account of the Rosicrucians he omits to mention that the famous work in which the word first occurs was circulated in manuscript four years before its publication in 1614, nor does he intimate any suspicion of its fictitious character. He seems ignorant that there is good reason to suppose that the *Fama Fraternitatis*, like the Chemical Wedding of Christian Rosenkreutz, published in 1616, is a satire, written by Valentine Andreü, a Suabian clergyman, and that no such society can be shown to have existed previously to its appearance. Andreü himself, it appears, was for a time esteemed the real founder of

the Rosicrucian Order, and "Christian Rose," the reputed founder, is a mere mythical personage. The St. Andrew's cross with four roses, which was the family seal of the author of the *Chemical Wedding*, is rightly regarded by our historian as the solution to the riddle, as far as Christian Rosenkreutz, the imaginary hero of that satire, is concerned, and we are inclined to agree with F. C. Baur, that the "General Reformation" and the "Confession of the Brotherhood," as well as the acknowledged satires, all emanated from the same or from a kindred pen. The general character of Herr Findel's History will be inferred from these allusions to its subject matter. Some remarkable documents are brought together in an Appendix.

With the device of Valentine Andreii we may compare the Italian pun on the expeditious English diplomatist, Sir Richard Wingfield, a name which was converted into *Volante*, or the ingenious invention of the heralds, who, in allusion to the active services of Richard and his two brothers, emblazoned their heraldic shields with three wings, which are still borne by the family, of which Lord Powerscourt is now the representative. An account of this "flying" emissary of Henry VIII. may be found in the despatches of Gasparo Contarini,² Ambassador from the Republic of Venice to Clement VIII., Duke of Ferrara, and the Emperor Charles V., and afterwards a Cardinal and Bishop. Interesting notices from the papers of this able diplomatist are interspersed in Mr. Rawdon Brown's third volume of the *Venetian Calendar of State Documents* relating to English affairs. The volume also contains archives of the Venetian Board of Trade, drafts of papal mis-sives, abstracts from letters of Sebastian Giustiniani, Spinelli, &c. The discovery by Signor Luigi Passini of the key to the ciphered part of the Michiel correspondence has enabled the editor to supply some authentic particulars concerning Edward Courtenay, the Earl of Devonshire, who died in Padua in 1556, not without a suspicion that his end was caused by poison. The crime, Mr. Brown is of opinion, was exclusively Spanish, and was designed and executed by Ruy Gomez. Among the curiosities in the *Calendar* is the earliest specimen of a diplomatic newsletter, written by the Ambassador Andreii Badoer to Pietro Lando, his colleague at the Court of Leo X., the official correspondence of which it is an example, illustrating a distinctive feature in Venetian diplomacy. Descriptions of events, as the battle of Pavia, of pageants, as of the Field of the Cloth of Gold, and the singular exhibitions called "Setting of the Midsummer Watches," with notices of illustrious personages, as of Wolsey, Martin Luther, and the Emperor, are scattered through the pages of the volume, which is introduced with an instructive preface, and closed with a serviceable index.

Not many years after the death of the Earl of Devonshire, England

² "Calendar of State Papers and Manuscripts relating to English Affairs, existing in the Archives and Collections of Venice and in other Libraries of Northern Italy." Vol. III. 1520—1526. Edited by Rawdon Brown. Published by the Authority of Lords Commissioners of Her Majesty's Treasury, under the direction of the Master of the Rolls. London: Longmans, Green, & Co. 1869.

was "first brought into important relations with the West Indies by a memorable plan. . . . The originator both of the negro slave trade and of our West Indian Colonization was Sir John Hawkins, one of the most eminent of the great seamen under Queen Elizabeth." With this record of the fatal flaw which vitiated our West Indian colonial policy, Mr. Fox Bourne enters on his task—the task of telling the story of our colonies, and sketching their present condition.³ It is not a pleasant record; and there is little that is pleasant in the narrative of our often selfish and senseless colonial government. Bad as the initial record is, it is by no means an exceptional record. In Barbados four thousand slaves were imported every year for more than a century, and of this number three thousand supplied the place of predecessors killed before their time. In Jamaica the same procedure was carried on with the same result. The early West Indian planters, says a champion of slavery, thought it no greater sin to kill a negro than to knock a monkey on the head. Between 1678 and 1832, writes Mr. Fox Bourne, twenty-eight conspiracies of special importance are enumerated. In the horrible reprisals which followed that of 1760, exquisite tortures were inflicted on condemned criminals. Some of them were burned, some were fixed alive on gibbets; one of them living two hundred and ten hours suspended without nourishment under a vertical sun. Is it any consolation that at Cape Colony the Dutch farmers treated the Hottentots nearly as badly as the English did the negroes in the West Indies? "I have known some colonists," says a Dutch traveller, "not only for a trifling neglect, deliberately flay both the backs and limbs of their slaves by a peculiar slow, lingering process, but even outdoing the very tigers in cruelty, throw pepper and salt over the wounds." In New Zealand again, a horrible trade sprang up—a traffic in heads—which had become attractive to vulgar curiosity-hunters in New Zealand and Australia. In December, 1830, a Captain Stewart enticed the chief of Takou and various members of his family, with their retainers, on board. The chief was kept in a state of torture for two days, and then put to death. All the men and women who accompanied him were massacred. In short, a general survey of our colonial history seems to establish, only too often, the charges of misgovernment, stupid insolence, and diabolical barbarity. Mr. Fox Bourne travels rapidly over the various possessions constituting the colonial empire of Great Britain, and in his sketchy, agreeable way, gives us all manner of historical and geographical information about not only our West Indian colonies, but Newfoundland, British North America, Canada, our African settlements, our Asiatic colonies, our Australian colonies, New Zealand, and British India. In his estimate of the Wakefield system of colonization, Mr. Fox Bourne seems to speak with unwarrantable asperity of the principle of the system. In opposition to the condemnatory view advanced by its opponents, Mr. Mill contends that wherever the prin-

³ "The Story of our Colonies, with Sketches of their Present Condition." By H. R. Fox Bourne, author of "English Seamen under the Tudors," &c. &c. London: James Hogg & Son. 1869.

ciple has been introduced at all, though imperfectly and though saddled with disabling provisions, "the restraint put upon the dispersion of settlers, and the influx of capital caused by the assurance of being able to obtain hired labour, has, in spite of many difficulties and much mismanagement, produced a suddenness and rapidity of prosperity more like fable than reality."⁴ In his concluding chapter the author dwells on the value of our colonies, partly as training grounds of warfare and as fields of emigration. An appendix contains tables of area and population of the British colonial possessions, of the principal wages rates, and of our colonial gold-fields.

Can we hope that the forbearance of European Powers, which the author of the work next on our list considers as the prerequisite to the peaceful and prosperous access of Western civilization to the whole empire of China, will be practically exhibited when the hour arrives, and that the Chinese people will have actual experience of those advantages which Mr. Loch anticipates from a freer intercourse with the nations of the West?⁵ The preliminary principle which he would establish for international direction is that the responsibility of peace or war is to rest only with responsible officers; and as Lord Clarendon about a year ago advocated the application of the same principle, declaring that Her Majesty's Consuls or naval officers were not to determine for themselves what redress or reparation for wrong done to British subjects is due, or by what means it shall be enforced, it is possible that one principal European Power will in future recognise the duty involved in the principle laid down. The "Personal Narrative," in which this policy is recommended, relates to occurrences during Lord Elgin's second embassy to China, 1860, when the author accompanied him in the capacity of private secretary. The object of the armed embassy of the allies was to maintain the Treaty of Tien-tsin, violated by the attack on the British squadron at the Peiho. The antecedent circumstances are explained by Mr. Loch in the first and second chapters of his book; the description of the Northern and Taku forts, which it was considered indispensable to take; the capture of those forts, the advance to Tien-tsin, the subsequent progress to Peking, the proceedings of the allied armies, the seizure and imprisonment of Messrs. Parkes, De Normanns, Anderson, Bowlby, Phipps, the Sikh escort, and Mr. Loch himself; the prison life, the release of some of the prisoners, and the surrender of the bodies of others; the negotiations which followed the destruction of the Imperial palace, and the signature of the convention which terminated the enterprise, are the characteristic topics of the principal remaining chapters. This "Personal Narrative" disclaims all pretensions to historical completeness: it does not pretend to offer an official record of Lord Elgin's second embassy; but is really what it professes to be, the account by an eye-witness of what he saw; by a present agent of what he did; by an actual victim of what he

⁴ "Principles of Political Economy." Book v. chap. xi.

⁵ "Personal Narrative of Occurrences during Lord Elgin's Second Embassy to China, 1860." By Henry Brougham Loch, Private Secretary to the Earl of Elgin. London: Murray. 1869.

suffered. The narrative is an able, animated chronicle of personal experience, showing clearness and accuracy of observation, and evincing considerable talent for translating into simple natural language the incidents of his position. The recital of prison life, though we do not confine our eulogium to that alone, has a Defoe-like realism about it which makes it especially attractive. Interesting, however, as Mr. Loch's little volume is, it would have been still more so had it been put into the hands of the public some years ago.

Europe herself, we are told, needs regeneration, no less perhaps than China or any other Asiatic empire. In 1862, Russia had completed a thousand years of political existence, and some sanguine enthusiasts celebrated the eve of a reborn regenerate life on the 19th of February of the preceding year. The dissolution of the old Russian *régime* at or about this period is conceded by Dr. Julius Eckardt, the English edition of whose valuable work on Baltic and Russian Civilization we have now before us.⁶ The historical disquisition of Dr. Eckardt is broken up into four chapters. Beginning with a notice of the Pan-slavic jubilee already referred to, he describes the reaction against the despotism of the Czar, the effects of the prohibitive system, the supremacy of the Bureaucracy, the journalism of St. Petersburg and Moscow, Russian liberalism, especially that of Alexander Herzen and the Socialists, terminating the first chapter with the growing opposition to the old system "which gradually pervaded all classes of society, and which was fed by every new messenger of evil tidings from the Crimea." The second chapter commences with the death of Nicholas, "whose honest but limited nature had transformed the empire into a whitened sepulchre," sketches the character, policy, and influence of his conscientious, amiable, and generous successor, describes the first measures of his government, the Russian admiration of Western institutions, the influence of European literature, Herzen's socialistic agitation and journalistic career, the movement in favour of national education, and ends with a recognition of the break-up of the old system, and a glance at the position of the Government. The leading topics of the third chapter are the emancipation of the serfs, the agrarian organization, the division of common lands, the remodelling of the universities, the student disorders in Moscow, the attempted revolution, the repressive measures of the Government, and the attack on Herzen and the Socialists. In the fourth chapter we find the author describing or discussing the new administration of justice, provincial self-government, the Polish and Lithuanian revolt, its suppression by General Muraviev, the anti-Polish system of the Russian democrats, the new political system in Russia, the terrorism exercised by Katkov, the anti-cosmopolitan editor of the *Moscow Journal*, the influence of the democracy on the Government, the conservative opposition and ascendancy, and the Katkov bureaucratic nationalism which succeeded the conservative episode, placed Poland out of the pale of law, and

⁶ "Modern Russia; comprising Russia under Alexander II., Russian Communism, the Greek Orthodox Church and its Sects, and the Baltic Provinces of Russia." By Dr. Julius Eckardt. London: Smith, Elder, & Co. 1870.

continued to govern on a system of socialism and terrorism combined. These chapters on the Russia of Nicholas and Alexander are followed by three dissertations on Russian Communism, the Greek Orthodox Church and its sects, and the Baltic Provinces of Russia, which we have found full of interest and curious matter. Dr. Eckardt is of opinion that the "Slavonic primary phenomenon" which the young students of Hegel had long vainly endeavoured to discover, and which at last the Baron August von Haxthausen had unexpectedly come across in his investigations regarding the rural organization of Russia—namely, the institution of communism, the doctrine of the equal claim of all to the soil, of the necessity of a change from personal to common property—is subversive, anarchic, impracticable. This world-redeeming formula of civilization, the banner under which Russia, as it is believed, is to conquer Western Europe, has a historical connexion with the ancient agrarian law of Russia, which appropriated one-third only of the nominal lands to the lord, assigning the remaining two-thirds, not to separate members of the community, but to the village community itself, to be periodically divided in equal portions among all the families in the district. By the emancipation law of the 19th February, 1861, no alteration was effected in the agricultural arrangements, the relation of individual members to the community, the periodical allotments, mode of taxation, &c. Dr. Eckardt contends that the theory of the adherents of communism rests on premises gained at the period of serfdom; that its advocates maintained that it existed only in an imperfect form in that period, and accordingly placed all the dark sides of the rural relations to its account; not anticipating what he asserts to be really the case, "that the cessation of the interest of the master in the weal and woe of the separate small proprietors made their material position heavier, and conducting their defence with moral, political, and religious arguments, instead of testing their cherished ideal by submitting it to the criterion of economical science." The law of emancipation, he further contends, is substantially carried out. Five-eighths of all the Russian peasant communities have entered into possession of their village-districts, while barely three-eighths have remained dependent on the landed proprietors. Yet, in spite of this proximate realization of the "victorious idea," according to the concurrent testimony of all the organs of the Russian press, agriculture has everywhere retrograded. Russia is pre-eminently the Peasant Nation; but the Peasant Nation is characterized by deficient insight into the value of the enjoyments of life, and the absence of all higher interests, which are the main causes of the prevalent indolence and intemperance. On the grounds now indicated, Dr. Eckardt, a defender of private property, objects to the Russ Communism, denounces it as dangerous, and warns us against its possible temporary advance in Western Europe, quoting the words of augury uttered by Count Cavour to a Russian diplomatist, "The equal right you give your peasants to the soil is more dangerous to us Westerns than all your armies." The dissertation on the Russian Church exhibits the inefficiency and corruption of that institution; the abject poverty and *caste*-marriages of its parochial clergy, prohibited by law in 1867; the obsolete anti-secular education of its mi-

nisters, and the pernicious influence exercised by the monastic clergy. It shows also that notwithstanding all educational restrictions, revolutionary and materialistic books are studied in the cloister and the college of the Orthodox Church. The *Essay on the Russian Baltic Provinces*—partly geographical, partly historical, and partly political—embodies a protest against the extension of Russ religion and agrarian legislation in those provinces, in application to a race which has for nearly a thousand years pursued its course under a German influence, and which cannot at once change its old ideas for Slavonic and Byzantine models. The work which we thus succinctly describe is written in a serious, dispassionate spirit, with, as it appears to us, considerable knowledge of the subject, and with a strong and sincere conviction “that the old Russ institution of communism and the abolition of the personal possession of the soil are identical with the annihilation of all rational agriculture and all zeal in husbandry;” and further, that the maintenance and further extension of this new formula of civilization, which is one of the principal objects of the Moscow national party, is an undertaking which, sooner or later, must bitterly revenge itself on its authors.

The Polish revolt, from the effects of which Russia is still suffering, broke out in January, 1863. In 1864 Denmark yielded all claim to Lauenburg, Schleswig, and Holstein, and peace was concluded between that kingdom and the allied Powers. The peace, however, was of brief duration, and terminated with the war of 1864. Austria and Prussia, common conquerors, were common possessors of Schleswig-Holstein. The relation of these “*beati possessores*” was a perplexed one, and the question of right soon resolved itself into a decision by might. The Gastein convention was succeeded by a series of memorable battles. On the 13th of May, 1866, the belligerents began to arm. The memorable battle of Königgrätz took place on the 3rd of July. With this critical event Herr Fontane concludes the first half-volume of “*The Campaign in Bohemia and Moravia*,” the principal incident of the German war of 1866—the proposed subject of the work, of which an instalment only is completed. The author is stated to have had access to official documents, and to all authentic sources of information. The work before us is profusely illustrated with portraits and scenical representations. It exhibits the preparations for war, the incidents connected with the occupation of Saxony, the plans of the belligerents has a chapter on the country and people of Iser, describes the first rencontres, the battle of Liebenau, that of Podol, the capture of Unter-Lochow, and the march on Gitschin, with the actions in the forest, and the battle at night in Gitschin itself, and the action at Nachod, Skalitz, Schweinschadel, Alt-Rognitz, Rudersdorff, and Königinhof. The requisite military details relating to the number and nature of the forces and the position of the troops are given at length, and the volume concludes with the arrangements that preceded the decisive day of Königgrätz.

⁷ “*Der Feldzug in Böhmen und Mähren.*” Von Th. Fontane. Halbband 1. Bis Königgrätz, &c. Berlin: 1870.

The doctrines of Socialism long since penetrated into the Rhenish provinces. In 1844 Gustave Bergenroth was an associate of quick-witted young men, full of animal spirits, who toasted the new ideas over sparkling cups, and were forward with their pen in advocacy of the same. This remarkable man, who, if he had lived, might have achieved high literary success as a historian, is probably known to a very limited circle. The brief notices of his Calendar which have appeared in this *Review* may have familiarized some of our readers with his name. Mr. Cartwright's memoir, which assumes to be no more than a sketch, and as such deserves commendation, will extend and raise the reputation of its subject.⁸ Gustave Adolph Bergenroth was born on the 26th of February, 1813, at Margragbowa, an insignificant town in the dreariest corner of East Prussia. In boyhood he was distinguished by a strange combination of wild impetuosity with much gentleness of heart. At twenty he commenced his academical studies at Königsberg, where he soon became a noted leader in the wild doings of his fellow-students. In 1843, having passed various examinations and held two subordinate official posts, he was appointed Assessor to the High Court in the capital, and then transferred in the same capacity to the Court at Cologne. In 1845 he obtained leave of absence, and breaking off his connexion with the organs of Radicalism, started on a foreign tour. After a year's travel in Italy we find him again in Berlin. In the outbreak of 1848 he mixed with the insurgents, and narrowly escaped being cut down by a trooper in that famous charge by the Dragoon Guards. He now became one of the founders of the Democratic Club, opposed the monstrous plea of the nobles to be exempt from the land-tax in a little satirical pamphlet, threw up his profession, and finding his position in every way precarious, volunteered to go as pioneer of an intending "pantisocratic" emigrant community, to the new Eldorado, California. We find him next in a wild nook, about twenty miles from San Francisco, surrounded by a group of nondescripts, outlaws and adventurers of all nations, "whom he contrived to fashion into a kind of community, wielding a dictatorial authority over these anything but amenable subjects by the sheer vigour of his resolution and the superiority of his physical strength." Some of his St. Franciscan experiences are related in an article in *Household Words*—his first published composition in English, and reprinted in Mr. Cartwright's "Memorial Sketch." In April, 1851, Bergenroth left his lawless kingdom, and before the end of the year was back in Bonn, but his party had lost heart, or had come to terms with the ruling powers. The "pioneer" now sobered down, and after further travel, and employment as a tutor, determined to turn his attention to historical literature. From 1857 to 1860 he resided in London. In the last-mentioned year he wrote a remarkable article on "Wat Tyler," also reprinted in Mr. Cartwright's sketch. As he worked at the documents in the Record Office, Bergenroth became impressed with the

⁸ "Gustave Bergenroth : a Memorial Sketch." By W. C. Cartwright, M.P., Author of "The Constitution of Papal Conclaves." Edinburgh: Edmonston & Douglas. 1870.

conviction that they could not furnish him with materials adequate to the historical enterprise which he contemplated. In the summer of 1860 he took the spirited resolution of leaving England, proceeding to Spain, and applying for permission to inspect the great Spanish archives in Simancas, near Valladolid, in Old Castile. His energy was at last triumphant. He secured access to Simancas, and before the end of the year a series of vivid letters appeared in the *Athenæum*, which detailed his first experiences in that village of little irregular elevations which looks like a rabbit-warren. These letters introduced Bergenroth to the notice of the Master of the Rolls, who entrusted him with the task of drawing up a Calendar of State Papers relating to English History in Simancas. In 1861 Bergenroth came to England to superintend the composition of the calendar for which he had collected materials. On the opposition which he afterwards encountered on his return to Simancas; on the labours which he patiently sustained in deciphering papers filled with characters almost as difficult to read as the hieroglyphics of Egypt; on the prosecution of his special task and the enterprise on which he had entered—the history of Charles V.—when attacked by pestilence in Madrid, where he died February 3, 1868, as on his general moral, intellectual, and literary characteristics, we must refer to the important testimony of his biographer. The volume contains various contributions from Bergenroth's pen, in particular the story of "Queen Juana," and "Remarks on the Ciphered Despatches in the Archives of Simancas," apparently reprinted *verbatim* from the Calendar. The volume also contains a summary of the contents of the questionable, perhaps apocryphal, paper on Don Carlos—Bergenroth's "last discovery."

The story of Juana is cited by Dr. Willis, in his meritorious work on Spinoza, as a memorable instance of the tragical results of the combined influences of statecraft and religious bigotry. It was the persecution carried out by the Inquisition under Philip III. which compelled the parents of Spinoza, who were natives of Spain, to fly from the country of their birth, and seek a refuge in Holland from the theological tyranny which menaced the Jewish converts to Christianity who were suspected of a lingering attachment to the religion of their forefathers. The events which occurred in the life of Spinoza from his birth in the city of Amsterdam on the 24th of November, 1632, to his death on the 21st of January, 1679, are related by his new biographer with ample knowledge of the sources from which the particulars are derived.⁹ Dr. Willis has done no more than justice to the pure, upright, noble, and disinterested character of his philosophical hero. Rightly regarding him, with Strauss, as the father of the Biblical criticism as well as of the speculation of our age, he endeavours to convey an adequate idea of the life and writings of Spinoza, by a biographical portraiture, an introductory essay, an account of his friends and correspondents, a notice of the revivers of his system of thought, of his critics, followers, and translators, and by an original rendering of the "Correspondence

⁹ "Benedict de Spinoza: his Life, Correspondence, and Ethics." By R. Willis, M.D. London: Trübner & Co. 1870.

and Ethics." This is not the place to offer an estimate of Dr. Willis's exposition or critical contributions, nor is it requisite that we should now attempt any sketch of the life of Spinoza. It is sufficient to say that in Dr. Willis's volume we recognise a valuable addition to Spinozistic literature for the English reader. A loving admiration of Spinoza, a sympathetic correspondence of creed, though not absolute agreement with his teaching, diligent research, an extent of reading in various fields of thought evincing an accomplished and instructed mind, are among the translator's moral and intellectual qualifications. The pages of disquisitive matter contain illustrations and comments which give relief to the graver portions of the volume, and testify to the scholarly acquirements of the author. While we rejoice, however, that Spinoza, whom we venerate almost equally with Dr. Willis, has found in him a new champion and interpreter, we cannot ourselves accept the *à priori* method of the great metaphysician. Dr. Willis still retains a modified belief in the old metaphysical philosophy, notwithstanding the sentence in the introduction in which he seems to disclaim its authority, since he contends that "the idea of God is no effect of teaching from without, as commonly said; but is the product of a sense we possess immediately from the Author of our being." We mention this fact with no intention of canvassing the question here, but to indicate the spirit in which his review of Spinoza is undertaken. This review, it should further be said, is not an exhaustive one, nor has it any pretensions to profound academical erudition. His book is a popular treatise, as popular at least as a work on such a subject can well be; and will, we trust, meet with popular appreciation.

Six years before the birth of Spinoza died the great Lord Bacon, "leaving his name and memory to men's charitable speeches, and to foreign nations and the next age." The kindly construction which he desired he has found at least in his editor and biographer, Mr. James Spedding, who appears not in the character of special pleader for a client, but in that of a registrar of facts, of a historian who undertakes to tell us "what Bacon thought about the occasions of his time."¹⁰ His opinion, indeed, he does not attempt to conceal, for he openly says in his preface:—

"It has been the fashion for the last thirty years to find great fault with Bacon for the part he took in some of these transactions. I think it will now appear that the judgment has, in most cases, been pronounced under a considerable misapprehension of the facts; and that when the story is truly told, the aspect of it in relation to him is materially altered; so much so that the same judges, if the case had been so presented to them at first, would probably have judged differently."

The present volume of Mr. Spedding's work carries us nearly to the end of the period during which he held the office of Attorney-General. The distinctive topics included in it relate to the Parliament of 1614; the

¹⁰ "The Letters and the Life of Francis Bacon, including all his Occasional Works, &c. Newly collected and set forth in Chronological Order, with a Commentary, Biographical and Historical." By James Spedding. Vol. V. London: Longmans, Green, Reader, & Dyer. 1869.

attempt to raise supplies by a benevolence; the legal proceedings against Talbot for declining to repudiate the Jesuits' doctrine of king-killing; against Peacham, for treasonable words intended to be preached; against Owen, for treasonable words spoken; against Oliver St. John, for slander of the King and Council; the trial of the Earl and Countess of Somerset, for the murder of Overbury; the dispute between the Crown and the Judges, in the case of *Rege inconsulto*; the assault by the Court of King's Bench upon the Court of Chancery in the case of *Premunire*; and the first essay of Government in Ireland through a Parliament of its own. In all these matters Bacon was, directly or indirectly, personally engaged. "Of his papers relating to them, some have remained till now not only unprinted but unknown, and supply new and unexpected information as to his political views and objects."

In the year in which Lord Bacon died, Thomas Fairfax, then in his fifteenth year, matriculated at St. John's College, Cambridge. For about four years he continued to study in that university. In 1630 he joined the army in the Low Countries as a volunteer, and during the operations which attended the investment of Bois-le-Duc, gained the approval of the General of the English forces in the Netherlands, Lord Vere of Tilbury. The young aspirant for military glory afterwards became General of the Parliament of England. Hitherto an adequate Life of Fairfax has been wanting to our biographical literature, but Mr. Clements Markham has at last worthily supplied this deficiency.¹¹ To our judgment, at least, his life of the great commander is an excellent biography, admirably conceived and judiciously executed, arguing not only a general but a special acquaintance with the subject, and with the related authorities; vigorously and even picturesquely written, yet always preserving a sobriety of style corresponding to the maturity of thought which is its characteristic. The motive which has animated the biographer of Fairfax is the desire to furnish "a connected narrative of those important events in the great general's life which have hitherto been passed over, or, as the writer conceives, misunderstood and misrepresented. Under the first head he instances the opening of the Yorkshire Campaign, which has never before been related in detail, but which, both from its important bearing on the result of the Civil War, and as being the school in which one of our ablest generals was formed, deserved that ample treatment which it has received at the hands of its competent and conscientious narrator. The tendency to antedate the genius of Cromwell is assigned by our author as the reason why Fairfax has never received the credit to which he is entitled on two other grounds—the organization of the new model army, and the conduct of the campaign of 1645-6. In opposition to the spiteful Hollis and others, who perhaps have unintentionally falsified history, Mr. Markham contends that Cromwell had nothing whatever to do with the organization of the new army; that Sir Thomas

¹¹ "A Life of the Great Lord Fairfax, Commander of the Army of the Parliament of England." By Clements R. Markham, F.S.A., Author of the "History of the Abyssinian Expedition." With Portrait, Maps, Plans, and Illustrations. London: Macmillan & Co. 1870.

Fairfax held no divided responsibility, but was the absolute commander-in-chief, selecting the officers, organizing the regiments, and conducting the operations in the field, and so creating the noblest military force, all things considered, that ever took the field. As in the case of the Yorkshire Campaign, so as regards the fight of Naseby, Mr. Markham has been sedulous in consulting all extant authorities, and in examining the scene of action, in particular the ground at Naseby battle-field, and the line of defences at Bristol. In describing the battle of Marston Moor, Mr. Markham alleges that Cromwell's cavalry sustained a check, about which we shall never know the truth, and that Cromwell was in error when he assumed the whole credit of the defeat of the Royalist right. This is a point which we should like to see further investigated by other inquirers. In narrating the siege of Lathom House, our author complains that Royalist writers confuse Sir Thomas with Sir William Fairfax. In another place he mentions, in "confutation of the traditional opinion respecting the costume and appearance of Roundheads and Cavaliers," that it was found necessary to have some distinguishing mark or sign; and adds, that at the battle of Naseby Prince Rupert was mistaken for Sir Thomas Fairfax. He corrects also the false declaration of Hollis, that the new model army was officered for the most part by factious sectaries, showing that out of thirty-seven generals and colonels, twenty-one were commoners of good families, nine were members of noble families, and only seven were not gentlemen by birth. He exposes the absurdity of the story of the contemplated rescue of the King by Fairfax, and Cromwell and Ireton's pretended dissuasion, and shows that in quoting it, almost word for word, Hume most strangely refers it to Herbert, "a most trustworthy authority, instead of to Perrinchief, a wretched hireling scribbler of the Restoration." He also maintains that the accusation brought by Carter against the Parliamentary soldiers, of having broken open the Lucas family vault, and desecrated the remains of the dead, is unfounded; and points out that the story originated in the conduct of the townsmen of Colchester in 1642. These corrections show how carefully Mr. Markham has explored the literature of his subject. There are other instances of minor inaccuracies which might be specified. The great object, however, of his narrative is to exhibit Sir Thomas Fairfax as an honourable, consistent patriot, from the day when he presented a petition to Charles on Heyworth Moor, till the day when dreading the anarchy which menaced the nation on the death of Cromwell, he still sought a free Parliament and liberty of conscience under a constitutional king. In treating of the Restoration, Mr. Markham confirms an opinion of M. Guizot, affirming "we now know that the Restoration was due not so much to that worthless renegade Monk, as to Lord Fairfax, without whose co-operation Monk could never have advanced from Scotland, and would probably have been crushed by Lambert." While vindicating the spotless honour and military genius of Lord Fairfax, his biographer confesses that he has felt a difficulty in writing that part of his life-history in which he was mixed up in the political events of the period which includes the Royalist insurrection of 1648, and the trial of the King. Great as a general, Lord Fairfax, though ever

guided by a single-minded patriotic devotion to the service of his country, seems to have been but a poor politician. His military renown, the splendid series of battles and sieges in which he participated—Selby, Leeds, Marston Moor, Naseby, Bridgewater, Langport, Bristol, Dartmouth, Exeter, Colchester—and his unsullied reputation as a man and public servant, are his chief titles to grateful remembrance. We must not omit to commend Mr. Markham for his description of some of these battles, and for the topographical delineations which so greatly enhance the interest of these descriptions. Of three appendices, one contains specimens of Fairfax's poetry; in another an attempt has been made to give a complete notice of portrait engravings of Lord Fairfax; and a third contains his will. In the concluding section of the narrative the fortunes of the later descendants of the Fairfax family are depicted.

In the year of the Restoration of the English Royal Family, Louis XIV. of France married the Infanta Maria Theresa, daughter of Philip IV. of Spain. In the following year he fell in love with "the Christian Venus," Mademoiselle de la Vallière. Anxious to correct the erroneous impressions which prevail on the character and the career of these illustrious rivals, anxious to rescue the Queen from an oblivion for which he holds Bossuet and Madame de Maintenon responsible, anxious also to "*venger la femme du foyer, la femme du devoir, la femme légitime si ordinairement sacrifiée dans les comédies et dans les romans de notre époque*," M. l'Abbé H. Duclos has composed a biographical pamphlet of more than a thousand pages, entitled "*Madame de la Vallière et Marie Thérèse d'Autriche*," in which he undertakes to execute justice on "*la courtisane*" and "*restituer leur auréole à ces beaux et grands noms d'époux et d'épouse*."¹² Marie Thérèse, he affirms, was a type of conjugal devotion—intelligent, attractive, religious. Her religion was without bigotry, and she declined to take any part in the revocation of the edict of Nantes, holding that the best way to convert heretics was not to throw them into prison but to pray for them. Her whole life was one of consistent piety. Madame de la Vallière, on the other hand, was false to her own principles, to her education, to her instincts, but she atoned by thirty-six years of severe penitence for the error of ten years. Both the Queen and the Duchess had at bottom the same mission. This mission was to surround with a moral safeguard the throne of the Bourbons, and to raise again the banner of marriage, which the royal husband had trampled under foot. This the Queen did by the purity of her life: the Duchess by her recantation of error, and by her eloquent profession of the inviolable respect due to the family and the marriage institution. It seems hardly necessary to have written a "monograph" of a thousand pages in behalf of this respectable morality, but the biographical parallel or contrast is not without its interest. In the appendix will be found some documents never before published.

¹² "*Madame de la Vallière et Marie Thérèse d'Autriche, femme de Louis XIV., avec pièces et documents inédits.*" Par M. l'Abbé H. Duclos, ancien Vicaire de la Madeleine, &c. Paris: Didier. London: David Nutt. 1869.

An essay in Mr. Thorold Rogers's "Second Series of Essays" takes us back to the days of Charles I.¹³ The execution of William Laud he pronounces a blunder committed in order to gratify sectarian bitterness. By the vote of December, 1644, a meddling and intolerant priest was transformed into a martyr. While condemning Laud's political career, Mr. Rogers recognises his ability, fortitude, fidelity, and munificent patronage of learning. A sketch of the life of another and very different Churchman, John Wyclif, is full of instruction, and is extremely suggestive. Mr. Rogers's Protestantism does not render him insensible to the merits of the Catholic Church in its best days, days when Rome was undoubtedly the real barrier against oppression, when, taking part with the general interests of humanity, she discouraged slavery, checked the violence of feudal quarrels, exercised a national influence in preserving a balance of power, enforcing a cessation from dynastic wars, developing a public conscience, and offering in her courts an administration of justice which, if slow, was pure. A third ecclesiastic, John Horne Tooke, figures in Mr. Rogers's new portrait gallery as an eminent example of political morality in the latter half of the eighteenth century, brave, just, public-spirited, an acutely discriminative, ingenious, and generally able man. In commenting on Addington's Bill which deprived Tooke of his seat in Parliament, and enacted that no clergyman should hereafter sit in the House of Commons, Mr. Rogers declares that the State has affirmed by this remarkable law more than any pope has ever asserted, the perpetual alienation of a civil right from a whole social order. The State dogma of indelibility of orders has also, he contends, given an enormous impulse to official sacerdotalism. Mr. Rogers considers Horne Tooke's quarrel with Wilkes as redounding to the honour of the former. Of Wilkes, whose portrait he has also sketched, he speaks in somewhat violent language as a sordid and perfidious knave, as an energetic and an utterly unprincipled man. As an historical name, however, he allows that there is none which is more closely connected with public liberty and private right. To him we owe the decision under which general warrants are pronounced illegal, the vindication of the right of the people to elect their own representatives, and the termination of the absurd rule that the publication of parliamentary proceedings is a breach of privilege. Self-seeking and unscrupulous as Wilkes may have been, we are still inclined to think that he had real sympathy with the general principles of which he became the accidental champion.

Mr. Rogers's biographical essay on the "patriot" may be compared with the more circumstantial biography of Wilkes, written by the Rev. J. S. Watson.¹⁴ Mr. Watson, who can scarcely believe it possible that a man of education should feel within himself other than Conservative tendencies, is in tolerable agreement with his reverend though radical

¹³ "Historical Gleanings: a Series of Sketches. Wyclif, Laud, Wilkes, Horne Tooke." By James E. Thorold Rogers. Second Series. London: Macmillan. 1870.

¹⁴ "Biographies of John Wilkes and William Cobbett." By the Rev. John Selby Watson, M.A., F.R.S.L. With Portraits. Edinburgh and London: William Blackwood & Sons, 1870.

brother as to the character of their common hero. William Cobbett is treated with charitable allowance by Mr. Watson, whose biography is more circumstantial than that of Mr. Rogers in his first series. The moral which Mr. Watson desires to point is not only anti-demagogic but anti-radical.

Leaving churchmen and politicians we come to Sir David Brewster, whose domestic life rather than scientific career has been portrayed by his daughter, Mrs. Gordon, in an unassuming and meritorious volume.¹⁵ David, the second son of James Brewster, the principal of the Grammar School in Jedburgh, was born in the Canongate of that town in the year 1781. At twelve years of age he was sent to the University of Edinburgh. At eighteen or nineteen we find him busied with telescopes and electrical machines; at twenty-one studying for the ministry; at twenty-three, preaching his first sermon. In 1807 he competed unsuccessfully for the Mathematical Chair in the University of St. Andrews. Shortly after, he commenced the "New Encyclopædia," which was completed in 1830, in eighteen bulky volumes. In 1810 he married Juliet, the youngest daughter of James, better known as Ossian Macpherson. Researches in optics and crystallization, the decomposition and polarization of light, magnetism, electricity, and natural history occupied his attention throughout his life; for in 1809, withdrawing his claim to the living of Sprouston, he henceforward surrendered himself to the attractions and duties of a scientific and academic career. In 1816 he invented the kaleidoscope; in 1831 he became an active promoter of the British Association; in 1838 he was appointed Principal of the United College of St. Salvator and St. Leonard in the University of St. Andrews; in 1843 we find him foremost among the seceders of the Scottish Church. In 1850 he had to sorrow over the loss of his wife, and shortly after, over that of a son. His second marriage, to Jane Kirk, the daughter of Thomas Purnell, Esq., of Scarborough, took place in 1857. For eight years he discharged the arduous duties which his acceptance in 1859 of the Principalship of the University of Edinburgh imposed on him. His death occurred on 10th February, 1868, at his own house, Allerly, and his remains rest in Melrose Abbey, in its neighbourhood. Sir David Brewster was remarkable for a vigorous physical constitution, great intellectual ardour and capacity for work, and an extremely retentive memory. He was sociable and amiable, modest, yet without diffidence. With all his scientific training he had a certain superstitious tendency, and "latterly took deeper views of this school of wonders," as Mrs. Gordon designates what Mr. Carlyle, speaking of "the thing which calls itself Spiritualism," more fitly names "Ultra Brutalism," and "Liturgy of Dead Seapies." It is melancholy to find such a man as Brewster searching the Scriptures for demonological passages, and admitting that, if true, modern Spiritualism may be a fulfilment of the prophesied work of the Evil One and his agents. Sir David Brewster is a notable instance of what is by no means uncommon among scientific specialists, adhesion

¹⁵ "The Home Life of Sir David Brewster." By his Daughter, Mrs. Gordon, Author of "Work," &c. &c. Edinburgh: Edmonston and Douglas. 1869. [Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. SS

to a curious, timid, somnolent orthodoxy. Through his life and in his death he clung to what he calls "The grand old orthodox truths"—the atonement, the Trinity, election, and the eternity of punishment!

In the "*Englische Charakterbilder*,"¹⁶ a biographical sketch of Thomas Carlyle seems carefully executed. For valuable assistance in compiling this paper the author acknowledges his obligations to the late Mr. Neuberg, the German translator of the history of Frederick II.¹⁷ Still more interesting is a notice of Mr. J. S. Mill, embodying information furnished directly by that gentleman himself. Five other notabilities, Palmerston, Cobden, Disraeli, Thackeray, and Turner, complete the catalogue of memorable persons selected by Herr Althaus for biographical delineation. A memoir of the Princess Charlotte, a description of scenery, &c. in the Isle of Wight, an account of some remarkable misers, and a history and explanation of English sports, pastimes, and customs fill the pages of the second volume. Two political papers, one on Ireland and the Fenians, the other on the Reform Bill of 1867, and England and her Future, are placed at the end of the first. The author of these pleasing volumes has resided for many years in this country, and if his representations are not always wholly free from error, he has written, at any rate, as only an intelligent and instructed man could do.

A compatriot of the last-mentioned author, Dr. Hermann Grothe,¹⁸ has published a portion of a work intended as a contribution to the history of industry and machinery. A general dissertation on industrial development is followed by descriptive sections treating of the inventions of spinning and weaving, under the heads of Silk, Cotton, Wool, Flax, with biographical notices interspersed, of the part played by the lords of the creation in the rise and progress of the corresponding industrial arts. The services of the ladies of the creation are next recognised, and the mysteries of sewing and sewing-machines displayed.

Notices of the holy men and women of Belgium,¹⁹ of religious festivals, civil usages, popular creeds and practices of its inhabitants in ancient and modern times, form the subject matter of *Traditions and Legends* by the Baron of Reinsberg-Düringsfeld, of which only the second volume has been forwarded to us.

Pope Honorius has been condemned as a heretic by three Councils, and his own letters are adduced in proof of his heresy. If he was really a heretic, a pope is convicted of error in a question of faith, and then what is to become of the dogma of Papal Infallibility? The pamphlet published by Mr. P. Le Page Renouf on the Condemnation of Honorius, has been criticised in a hostile spirit by Father Bottalla,

¹⁶ "*Englische Charakterbilder.*" Von Friedrich Althaus. Zweiter Band. Berlin. 1869.

¹⁷ The translation was commenced by Mr. Neuberg, and completed by Herr Althaus.

¹⁸ "*Bilder und Studien zur Geschichte der Industrie und des Maschinenwesens.*" Von Dr. Hermann Grothe. Erste Sammlung. Berlin: Springer. London: David Nutt. 1870.

¹⁹ "*Traditions et Legendes de la Belgique, &c.*" Par le Baron de Reinsberg-Düringsfeld. Tome Second. Bruxelles: Claassen. London: David Nutt. 1870.

Dr. Ward, and others, and the author now comes forward a second time,²⁰ prepared to show that Honorius in his letters really gave sanction to the Monothelite heresy; that he was condemned for heresy by Œcumenical Councils and popes, and that his heresy was taught *ex cathedra*. Mr. Renouf's arguments are convincing. He succeeds in establishing his three points; and he not only refutes his opponents, but shows how unfitted they are to take part in such a controversy at all. Father Bottalla's ignorance in particular is incredible. He maintains, for instance, that *ἐνέργεια* is commonly used to express *δυνάμις*!

We must content ourselves with a brief recognition of the remaining works on our table. "A memoir of Eliza Fox," the widow of the late W. J. Fox, the well-known member for Oldham, will interest only the friends of the deceased.²¹ In "The Book of Wonderful Characters"²² we have a curious collection of memoirs and anecdotes of remarkable and eccentric persons in all ages and countries. "A Handbook of Contemporary Biography" professes to give information in a compressed form respecting those persons who have become more or less celebrated in our time.²³ We notice that the great work of Professor Zeller on the Philosophy of Greece is not mentioned in the account given of his writings; that Strauss's remarkable treatise, "Die Christliche Glaubenslehre," also receives no recognition, and that the author is stated to have been born in June instead of in January, 1808. But the word June may be a misprint, and the two faults of omission exceptions. "A Handbook of the Administrations of Great Britain in the Period 1801-1869" is intended as an available book of reference, showing what ministry was in power at any given time, what were the leading measures carried through by each ministry, and what were the causes of the various changes in the cabinets.²⁴ With "An Analytical History of India," which offers the student a condensed outline of dates and facts,²⁵ from the earliest time to the year 1852, we may bracket the "History of the Rise, Decline, and Present State of the Shastree Family," the founder of which was

²⁰ "The Case of Pope Honorius reconsidered with Reference to Recent Apologies." By P. Le Page Renouf. London: Longmans, Green, Reader, and Dyer. 1870.

²¹ "Memoir of Mrs. Eliza Fox: to which Extracts are added from the Journals and Letters of her Husband, the late W. J. Fox, M.P. for Oldham." Edited by Franklin Fox. London: Trübner and Co. 1869.

²² "The Book of Wonderful Characters, Memoirs and Anecdotes of Remarkable and Eccentric Persons in all Ages and Countries, chiefly from the Text of Henry Wilson and James Caulfield. Illustrated with Sixty-one full-page Engravings." London: John Camden Hotten.

²³ "Handbook of Contemporary Biography." By Frederick Martin. Macmillan and Co. 1870.

²⁴ "Handbook of the Administrations of Great Britain during the Nineteenth Century, 1801-1869." By Francis Culling Carr, of H.M.'s Madras Civil Service, and of the Inner Temple, Barrister-at-Law. London: Smith, Elder, and Co. 1869.

²⁵ "The Analytical History of India, from the earliest Times to the Abolition of the Honourable East India Company in 1858." By Robert Sewell, Madras Civil Service. London: Allen and Co. 1870.

assassinated in 1815 by the order of Peishwa Bajeerao, the adoptive father of the well-known Nana Sahib.²⁶

The fourth volume of the "History of Napoleon I.," by M. P. Lanfrey, comprises a period of about two years, 1807-1809.²⁷ Opening with the campaigns of Pultusk and Eylau, it closes with the battle of Essling, the Tilsit negotiations, the insurrection in Spain, the capitulations at Baylen and Cintra, and the interview at Erfurt. The author is no admirer of the modern Sesostris, and rejoices that the invasion of Spain taught the world that the conqueror of kings was not destined to be the conqueror of nations. In another place Napoleon is described as a sublime comedian, whose plays had the serious defect of showing too plainly the measureless contempt in which he held the human race.

Napoleon's contempt for the human race is equalled if not surpassed by that of the stout-hearted Rector of Sprotbrough for Mr. Freeman's Appendix on the details of the Battle of Stamford Bridge. He thinks that that sort of writing may do for a periodical; accepts the sarcasm of a reviewer that there is nothing Mr. Surtees has a mind to prove that he cannot find arguments to support, and is of opinion that he *has* proved his point beyond all dispute. According to Mr. Surtees, Northumberland was the cradle of Britain's greatness; Tada in the Saxon Chronicle is not Tadcaster, but Taddencesclyf, the old name of Pontefract, where the author delivered the lecture on Ancient Battlefields, to which we now call attention.²⁸ He maintains further that the Camulodunum of Tacitus was not in Essex, as is generally supposed, but somewhere in the interesting neighbourhood in which Mr. Surtees himself resides.

A translation of the first and second books of the Annals of the Roman Historian just mentioned, by Mr. A. H. Beesly, M.A.,²⁹ hardly seems to us to realize his or our ideal of what such a translation should be, but we can quite understand the great difficulty of the task, and appreciate the labour expended on it.

BELLES LETTRES.

IT is difficult to conceive the grounds upon which some novels are written. The writers know nothing of the world of men and

²⁶ "History of the Rise, Decline, and Present State of the Shastree Family. Illustrated by Maps, Documents, and Portrait of the Founder of the Shastree Family." Bombay: Printed at the Education Society's Press, Bicalloo.

²⁷ "Histoire de Napoleon I." Par P. Lanfrey. Tome quatrième. Paris: Charpentier. London: David Nutt. 1870.

²⁸ "Ancient Battlefields on the Southern Portion of North Humberland, showing how Pontefract obtained its Present Name." By Scott F. Surtees, Rector of Sprotbrough. Leeds: Baines and Son.

²⁹ "Books I. and II. of the Annals of Tacitus, translated into English; with Notes and Marginal Analysis of the Chapters." By A. H. Beesly, M.A., late Scholar of Wadham College, Oxford. London: Longmans, Green, and Co. 1870.

women whom they attempt to describe. Some of them are scarcely educated. Blunders meet us on every page. Yet judging by the sums of money which publishers are said to give, these novelists must have an audience fit and not few. Putting aside, however, the Ouidas and Cudlips, the most remarkable fact to be noticed in our present generation of novelists is the extreme thinness of their writings. When we take up Sir Walter Scott, we at once discover that he was something else besides a mere teller of amusing tales. He was a poet, an archæologist, historian, and sportsman in the best sense of the term. He was a man of action. He had travelled much. He explored ruins and opened barrows. He edited out-of-the-way books like Rowland's *Humours Ordinarie*. All these pursuits tell in his novels. Scott is never thin. His tales are not merely picturesque, but brimful of information. And though it would be the greatest mistake in the world to suppose that novels are to be used as mere vehicles of information, yet we do wish to see some marks of culture in the writers. The great reproach which is to be brought against Thackeray is that he attempts to portray the world of the nineteenth century, yet does really nothing but sketch the foibles and weaknesses of a peculiar class. Everything which contributes to the glory of the age is passed over. We have been led into these remarks by reading Mr. Black's new novel.¹ We fancy that we here see, in spite of the limitation of the subject-matter, a writer who may some day vindicate novelists from the reproach of want of culture. "*Kilmeny*" shows a many-sidedness which is excessively rare. It abounds, in the first place, with what is the rarest of all gifts—humour. The characters, too, are drawn with an individuality which makes them stand out clear and distinct. The writer, too, without forcing his knowledge upon us, shows that he takes as keen an interest in art as in literature. He has travelled, and his pictures of Germany and German life are not mere reminiscences, but studies. The subject-matter is, however, as we have said, somewhat restricted. Mr. Black takes for his theme that pleasant country which is found everywhere, but which Shakespeare places by the sea—Bohemia. It has been described by authors of every nation. Thackeray has described it for us English. But Thackeray, after all, has only described it as a cigar-smoking, seltzer-drinking, lotus-eating land, inhabited by a race of Free Lances. Whenever he approaches the really noble and poetical side he cries out, as usual, *scriberis Vario*. And it is this side which finds its best expression in Mr. Black's pages. Bohemia for him is not that district bounded on the north-east by the British Museum, and on the south-west by Kensington. He finds it down in Buckinghamshire, and on the Danube, and under the shadow of the Drachenfels. His whole book teems with pictures full of colour. He sees life and the world as it is seen by an artist. Here, for instance, is a scene in Buckinghamshire:—

"We were in front of the broad and stately avenue that led up between

¹ "*Kilmeny*." By William Black. London: Sampson Low, Son, and Marston. 1870.

great rows of Spanish chestnuts to the front of Burnham House. As we ascended the avenue, the mullioned windows of the grey old building became plainer, the spire of the small church was visible through the trees, and behind us lay a long prospect down the valley and up over the hills which lay steeped in the soft, warm glow of the autumn sunlight. There was an autumn haze, too, lying over the olive green of the distant woods, and round about the great trunks of the trees near at hand—a soft, thin grey veil that caused the yellow stubble fields, the red fallow, the far-off brown-green beech woods, and the grey and white chalk hills to become faint and visionary in the heat, rendering their various hues pale and ethereal, and laying, as it were, a gossamer-net of frail and fairy-like texture over the still beautiful landscape. The glory of Buckinghamshire is its beech woods, that assume later in autumn an indescribable intensity of colour; but it seems to me that they should be seen with this silvery harvest-haze hanging over them, through which the distant hills, covered with these forests of beeches, actually shimmer in pale rose-colour and gold.”—vol. ii. pp. 115, 116.

We have chosen this picture because it will be more familiar to the majority of English readers than the scenes abroad. The latter are, however, equally well done. Now it is this poetical atmosphere which gives its charm to Mr. Black's book, and puts it quite out of the common class of Bohemian tales. This poetical colouring is seen in whatever Mr. Black touches upon. He seizes on the picturesque side. We see the same characteristics in his portraits. “Bonnie Leslie,” Heatherleigh, Lena Kunzen are all picturesque even to their dress. His very rustics are picturesque, not with the picturesqueness of the stage-peasant, but with the poetry of rustic life. We have already spoken of the humour which brightens Mr. Black's pages. Good things are never so good when detached from their proper place, but we must give one or two to justify our criticism. Here is an opinion upon marriage:—“If our young men cultivate their present notions and habits, we shall soon have this world getting so far to be like heaven that there shall be in it neither marrying, nor giving in marriage,”—vol. i. p. 117.

Here is Uncle Job's view upon the development of parsons:—“Tell ye what, Ted, if ye kep' a lot o' pahrsons in a green-house, and manured 'em, and let 'em develop, they'd grow into mealy-mouthed women.”—vol. ii. p. 22.

Uncle Job probably did not know that the French divided mankind into men, women, and parsons, and that his theory of clerical development would not consequently find much favour on the other side of the Channel. But the difference is probably made by Catholicism and Protestantism. Here, however, is an artist's opinion on our mealy-mouthed women:—“Women would suffer a good deal less—I mean, they wouldn't so often be the victims of an idiotic delicacy—if with them language didn't stop at their necks, and begin again at their ankles.”—vol. ii. p. 242

These extracts will give the reader some idea of the humour and keen wit which are to be found in “Kilmeny.” The book is manly and honest. The views are not quite the views of the fashionable world. Uncle Job is not a man who will be beloved by the parsons.

Lastly, when we say that "Kilmeny" is quite different to the ordinary novel, we give it no slight praise.

The authoress of the *Story of Elizabeth* entitles her new work "To Esther, and other Sketches,"² but they might much more appropriately be called *Gems*. There is nothing whatever sketchy about them. They are like the miniatures on ivory to which Miss Austen so well compared her own writings. And it is just as difficult to convey any notion of the secret of Miss Thackeray's success, as it is of Miss Austen's. "Put brains into your colours" was Turner's receipt to some dauber. And this is, in short, the secret of all great art. Miss Thackeray gives us pathos, quiet humour, subtle analysis of character, while other novelists give us merely tall talk and slangy jokes. As an example of what we mean we will take the shortest "sketch," which by the way is by no means the best. It is an account of a *fête* at Meulan in honour of "St. Côme," answering somewhat to the "wakes" in our midland counties. And no inconsiderable share of Miss Thackeray's success is owing to the way in which she contrasts the geniality and life of the scene with the heaviness at an English festival. St. Côme is a martyr to whose memory "altars of gingerbread and lace are erected," and in whose honour a tumbler comes all the way from Paris, and a two-headed child arrives "in its bottle of spirits of wine." The scene is opened by one of those delightful sketches of the country on a September morning, which Miss Thackeray paints with such evident love. Then we are shown all the primitive country people, looking like "figures out of Noah's ark," and all the animals in the fair, as if Noah's ark had just been emptied. Even the pigs, as Miss Thackeray remarks, are more lively than the English animal. We are afraid, however, that "the little tortoiseshell pig with brown and red spots," which so struck her fancy, must have had the measles. Then we are shown all the people munching gingerbread called at Meulan *semelle*, which some wild philologist may perhaps connect with the German *semmel*, and even with those "semmel cakes" which are eaten at Worcestershire wakes, and about which such a furious controversy has raged. Miss Thackeray, who has tasted *semelle*, decides, however, that it is so called "from its appetizing likeness to the sole of a shoe." Then we are shown all the grand ladies "curtseying and dipping to each other," and the ladies who "have the gift of the dance jerk." Each person and each sight are described by happy touches such as these. It is this gift of happy description which makes these tales and essays such delightful reading. Miss Thackeray's humour is of the same kind which delighted our ancestors in the pages of the "Spectator."

We wish novelists would understand how important a part art plays in the construction of a novel. Those who have most studied Shakespeare confess that he is as great in art, which so few people perceive, as he is in beauty of language, which everybody can perceive. So highly did Goethe value the art of construction that he used every

² "To Esther, and other Sketches." By Miss Thackeray. London: Smith, Elder, and Co. 1869.

year to read through Molière. And it must be remembered that art, and especially the art of construction, can only be gained by long study. It is the last grace which the author attains.

The writer of "*Reminiscences of an Attorney*"³ must have seen a great deal of the world and a variety of character. But he must remember that there is a great difference between describing a number of persons, adventures, and scenes, and blending them into an harmonious story. Here he, like so many more persons whose opportunities for observation have been equally great, fails. He, however, possesses great advantages over the ordinary novelist. His knowledge of the law alone gives him a great superiority in discussing mortgages, jointures, settlements, and terms of leases, which are always turning up in a novel. His knowledge, too, of the social state of Ireland enables him to give something more than a mere passing interest to portions of the story. Perhaps there is a little too much of the professional tone about the book. Such a heading to a chapter as "*The Cestui Que Vie*" may be very appropriate, but is somewhat puzzling, without the note which accompanies it, to the ordinary novel reader. Some of the incidents, as the stoppage of the great banking firm of Anson, Stuck, and Co., seem to be taken from real occurrences. At all events, there is a greater air of reality thrown over the dealings of the firm, and Mr. Anson's plan of securing an income for his son and daughter-in-law, than we generally find in fiction. It is in detached narratives of this kind, where law and business are mixed up, that the author's strength is seen to the greatest advantage. He also possesses a quick eye for seizing upon external peculiarities and characteristics. The great fault of the work, however, is want of construction. We must add that the printers have been unusually careless, and that we have noticed a large number of misprints.

We are always glad to meet Holme Lee.⁴ She is always pleasant and readable. In her last novel she took us up, if we rightly remember, into the Cleveland district, amongst the iron mines. This time she again breaks new ground. We find ourselves transported into Stony-fellshire, which, we suppose, comprehends both Westmoreland and Cumberland; and the same success which attended her on the eastern side follows her to the west. Holme Lee has accurately—that is to say, accurately enough for a novel—caught the dialect and peculiarities of the people. She has, too, most successfully sketched the beauties of the district. Such a success as this would at once put her far above the herd of novelists who seem not to take the slightest pains about the locality where their scenes are placed. A Devonshire rustic is drawn by them without any reference to his dialect. Like the Elizabethan dramatists, they make all their peasants talk the same conventional jargon. George Eliot was amongst the first who broke

³ "*Reminiscences of an Attorney.*" In Three Volumes. London: T. Cautley Newby. 1870.

⁴ "*For Richer for Poorer.*" By Holme Lee. In Three Volumes. London: Smith, Elder, and Co. 1870.

through the stage dialogue which did duty for local dialect. Holme Lee and others have followed her example. But to do this effectually, to give the proper local colouring, and yet not to overcharge it, requires great skill. But Holme Lee's success does not end with her sketches of our north country manners and scenery. We have never before met with such charming pictures of Brittany. How the actors pass and repass from Cumberland to Brittany, and how they live at the Villa de l'Espérance, the reader must find out for himself. We have dwelt so long upon the setting of the tale that we are unable to do justice to the characters themselves. But there are few people who will not take an interest in the lives of Robert Rawstroun and Nan. We will therefore merely briefly commend the story especially to ladies who are in search of a quiet simple tale where they may see English life such as it really is in our Northern counties.

"What Her Face Said"⁵ is a tale in one volume, of which sort we wish there were more. Why are novels generally written in three volumes? The publishers, we suspect, could give a better answer than the authors. As it is, most novels are eked out with "padding" to suit the trade. Art is sacrificed to the requirements of the publisher. The present tale is marked by a grace of style and delicacy of feeling which are now becoming very rare in ladies' novels. The allusions show, too, careful and discriminative reading. The portraits are sketched in with a few happy touches. Thus Mr. Leyland is introduced to us as "standing by his wife's chair, tall, straight, gentlemanly, something, as much as a gentleman may be, of a dandy." The touch, "something as much as a gentleman may be," is worthy of Miss Austen, and produces the exact effect which is required, and which an ordinary novelist could not have produced by pages of description. But it is in her descriptions of scenery that the authoress shows her real power. The sketch of the Nether House in summer-time, with its gardens stretching down to the river, as we see it in the third chapter, is full of poetry. But it is the sky and the sunset which the authoress loves to paint. Here is a scene very weird and eerie :—

"Great trees, in long ranks, by where the river ran. Beyond were the marshes, with the first grey darkness of night on their green, threaded by black streams; beyond all was a pale opaline sky, with broad streaks of dark-grey cloud low in it; such a sky as makes you think as you thought when a child—that if you only walked on, on, on, you would at length come to the edge of the earth and the foot of the sky, and, could you dare enough, enter into the heart and mystery of it."—pp. 75, 76.

And here is another scene, very different, but equally powerful :—

"And the sun rose every morning behind where the huge city, with its castle on the hill, stood up high and portentous; and the sun every night set below where the marshes ran along level lines, so that his shining robes, as he wrapt them together, flashed in light across them, across the Nether House,

⁵ "What Her Face Said : The Story of Five Months, as Related to a Friend." By Jane Hepplestone. London : Smith, Elder, and Co. 1870.

across the trees looking curiously in on it over the brow of the hill, across the purpled woods of Banbrook."—pp. 113, 114.

We wish we could extend our praises to the whole tale; but about the middle the authoress falls into the worst faults of the Braddon school. We have shipwrecks, failures of banks, fevers, and what not, all coarsely daubed in. The authoress will probably reply, that without these sensation scenes she could not have found a public. A true artist would prefer to let his work remain unread rather than spoil it by pandering to the vicious tastes of the day.

Whatever is good in "So Runs the World Away"⁶ is spoilt by its imitation of Ouida's delirious style. Everything is exaggerated. The hero, if Douglas be the hero, performs the usual impossibilities. He saves his friend's life against an overwhelming number of Caffirs. This surely was enough. But before the book has closed he has saved not only his friend's life again, but the heroine's in an equally remarkable way from a fire. We find not only Ouida's exaggerations but Ouida's peculiar blunders. Here is a sample:—"Town was nearly empty—that is to say, in a fashionable point of view—and Captain Mowbray thought a little regretfully of the gold-leaved country woods, where grey partridges were falling like hail under the aim of one or two of his brother officers, who were fortunate enough to own good shooting quarters."—vol i. p. 276.

Now here there are as many blunders as Cuvier discovered in the famous definition by the French *savants* of a crab. In the first place, the preponderating colour of a partridge is not grey; in the second place, partridges do not go in the autumn into "gold-leaved" woods; in the third place, they do not go into woods at any time of the year. But the whole passage is a mass of blundering. What are "country woods" in which Mrs. Steele's partridges live? Did she ever hear of town woods? What are we to say, too, to such an absurdity as two guns knocking partridges over like hail in these woods? But this passage is not one whit less absurd than others which we could quote, where the writer is talking on subjects with which she is manifestly unacquainted. Still there is something to be said in Mrs. Steele's favour. If we cannot agree with her views on partridge shooting, we thoroughly sympathize with every word she says against the fashionable pigeon-matches of the day, where ladies watch birds being butchered (vol. ii. p. 244). We thoroughly sympathize, too, with Azalea's protection of the fox (vol. ii. p. 246). These passages give us some hopes for Mrs. Steele. She is neither without heart nor without brains. The early sketches of Azalea, and Lord Orme's other children, especially Conrad, are very clever. But it is with Azalea we sympathize. If Mrs. Steele will discard Ouida and all exaggeration, and write about things which she understands, she may obtain a success worth having.

A critic who does not know Australia is placed at a great disadvan-

⁶ "So Runs the World Away." By Mrs. A. C. Steele. London: Chapman and Hall. 1869.

tage in reviewing a novel like "Grif."⁷ Our only plan is to judge it by some admitted standard. If we compare it with Mr. Henry Kingsley's "Geoffrey Hamlyn," its literary merits are at once apparent. Mr. Farjeon possesses descriptive power and humour in, perhaps, even a greater degree than Mr. Kingsley. He possesses also a ventriloquistic power to which the latter writer can make no pretence. Yet "Geoffrey Hamlyn" was a success, and "Grif" is as likely as not to be a failure. The reason must be sought for in the characters themselves. No amount of cleverness or dramatic or descriptive power can make us feel an interest in human beings of whom we from different habits know nothing to begin with, and with whom on acquaintance we have but little sympathy. Nothing can be better than the way in which some of the adventures are told. Welsh Tom's encounter with the natives is perfect. But then these are detached pieces, and do not hold the story together. The descriptions of Australian scenery appear to us the best which we have ever read either in or out of novels. They have, too, the rare merit of conveying useful information with regard to settling, the gold-diggings, and sheep-farming. From this point of view the book is of real value to any one who thinks of becoming a colonist. Nor do the accounts seem too highly coloured, which is the great danger in novels. Here, for instance, is a description of life at the gold-diggings, which agrees exactly with what we have heard from a German who had been at work in them for several years, and who finally came away no richer than he went:—

"I should think a gold-digger's life is very much like a gambler's. There is the same feverish excitement about it, and although you may go on losing and losing, and wasting your time, there is always the chance of a run of luck setting in with the next deal of the cards. At a new rush, for instance, while you are sinking your claim, you are always speculating as to what it will turn out; and when you go to sleep, you will dream, perhaps, that you have found a nugget as big as your head. Such nuggets have been found, you know, Men at starvation point one day may be tolerably rich the next. I once gave up a claim in disgust, after working at it for two months. Three miners took it up a few days afterwards, and went home with twelve hundred pounds apiece for a month's work. If I had driven my pick two inches further I should have come upon as rich a patch of gold as was ever found."—vol. ii. p. 177.

We wish that we had space to quote the account of the great find—how the crushing of forty tons of quartz was carried on during four days and nights; how the owners stood by with revolvers cocked; how, when they reached the bottom of the bucket, they fairly jumped for joy at finding it was nearly all gold; and how, too, when the retort was taken out of the furnace, "there lay the beautiful gold, changing in the process of cooling into all the colours of the rainbow." The whole scene is most vividly and dramatically described. There is, too, a most graphic account of a hot day in Melbourne, which deserves high praise. Mr. Farjeon must, however, beware of falling

⁷ "Grif: A Story of Australian Life." By B. L. Farjeon. London: Tinsley Brothers. 1870.

into Mr. Dickens's mannerisms and tricks of style. In one or two places his best bits are disfigured by an obvious imitation. We shall hope to meet him again, and hope, too, to meet him with characters with whom we can feel more at home than those in his present story.

"Piccadilly"⁸ is not a novel in the ordinary sense of the term. It is, however, something very much better—an essay and a satire upon the money-grubbing and tuft-hunting classes of the day. The author is evidently in earnest; and this earnestness gives power to the satire. The characters are too slightly sketched to call for any notice as characters. Lady Broadhem, the Earl of Broadhem, the Bodwinkles, and Mr. Goldtip are merely pegs on which the author hangs his satire. Nor does the Church escape. And we may notice that, as far as the Church is concerned, it is not at individuals but at the system that Mr. Oliphant directs his attack. Lastly, we must congratulate Mr. Doyle on his re-appearance. His sketches are peculiarly suited to the text. The satire of the one is admirably reflected by the satire of the other.

To the remainder of the novels we can only devote a few lines. Mr. Arthur à Beckett⁹ is one of those writers who wilfully abuses his powers. His story is very clever, but spoilt by improbabilities. Miss Drury's tale¹⁰ is suited for a younger class of readers than those who generally subscribe to Mudie. It belongs to the order "goody." Lord Pollington, we should have imagined, might have found some better story than Margarita¹¹ to have translated from the Spanish. What would the Spaniards think of our literature if Lord Pollington was to translate "Lady Audley's Secret" as a specimen of our novels? "Not in Vain"¹² is a good novel of the second class. Some of the characters, as the Petwings, are clearly and forcibly sketched. But the authoress has a great deal to learn of the method and machinery by which a story should be evolved. "A Dangerous Guest"¹³ has been condemned in strong terms by a contemporary. As far as we can perceive, there is nothing better nor worse in it than in a score of other novels which we are obliged to read through in the course of a quarter. We are, however, ready to acknowledge that a prolonged course of novel reading is likely to blunt our moral faculties. Still, if the "Dangerous Guest" is to be condemned, what shall we say to certain other novels?

Mr. Massey's poems¹⁴ show no growth. As in the case of the late

⁸ "Piccadilly. A Fragment of Contemporary Biography." By Lawrence Oliphant. With Eight Illustrations by Richard Doyle. Edinburgh: Blackwood. 1870.

⁹ "Fallen among Thieves. A Novel of Interest." By Arthur à Beckett. London: Chapman and Hall. 1870.

¹⁰ "The Normans; or, Kith and Kin." By A. H. Drury. London: Chapman and Hall. 1870.

¹¹ "Margarita." Freely Translated from the Spanish by Viscount Pollington, M.A., F.R.G.S. London: Chapman and Hall. 1870.

¹² "Not in Vain. A Story of the Day." By Armar Greye. London: Chapman and Hall. 1869.

¹³ "A Dangerous Guest." By the Author of "Gilbert Ruggle." London: Chapman and Hall. 1870.

¹⁴ "A Tale of Eternity, and other Poems." By Gerald Massey. London: Strahan and Co. 1870.

Alexander Smith, Mr. Massey's mind does not expand. The great movements of the day appear to have no interest for him. The misgivings, the doubts, the problems which affect the foremost minds, more especially of the younger generation, do not for a moment trouble him. This want of breadth of view and lack of culture produce their due effects. The latter is seen in Mr. Massey's style. Cultivation would surely have saved any one from comparing the late Earl Brownlow to a dove upon earth and a Bird of Paradise up in heaven (page 112). Good taste would save any one from such a spasmodic outburst as—

“Traitors may talk of England going down
(In quicksands that their coward selves have sown)—
She swims in hearts like these!”—p. 355.

Reason, rhyme, and metaphor are here all set at defiance in the smallest space we ever remember to have seen. Why people who, like Goldwin Smith for example, may draw unfavourable conclusions as to England's prosperity compared with that of other nations, are to be denounced by Mr. Massey as traitors is not obvious. The metaphor of sowing quicksands is also obscure. Mr. Massey might as well talk of sowing batter-pudding. How, too, England is to swim in any hearts requires an explanation; as well as the rhyme of “down” to “sown.” Why some of Mr. Massey's pieces are written at all is a mystery. The poem upon Thackeray, for instance, might have been made on any tall man with white hair who had written a novel. The pleasantest piece which we can find is a Home Song. Here are a few stanzas from it:—

“The larch is smoothing her tresses
In a twine of the daintiest green;
With fresh spring-breath the hawthorn heaves
His breast to the sunny sheen.
A shower of spring-green sprinkles the lime,
A shower of spring-gold the broom;
And each rath tint of the tender time
Wakes the wish that my Lady were Home.

“In the coppice, the dear primroses
Are the smile of each dim green nook,
Gravely gladsome; sunny but cool
With the sound of the gurgling brook;
And by the wayside, in a burst of delight,
From the world of fairy and gnome
All the flowers are crowding to see the sight
At their windows. My Lady come Home.

* * * * *

“Your apple-blooms are fragrant
Beyond the breath of the South;
Every bud, for an airy kiss,
Is lifting a rosy wee mouth.
A greener glory hour by hour,
And a peep of ruddier bloom,
But the leafy world waiteth its human flower.
Dear my Lady come Home.”—pp. 371-373.

This is very tender and delicate, fragrant as the apple-blossoms themselves, and reminds us of Mr. Massey's best manner. We heartily wish we could find more of the same quality. Mr. Massey's new book has, however, been a great disappointment. He has, we are afraid, been spoilt by flattery. He was one of the few younger poets from whom we expected much. May the next volume be more worthy of the author of "*Babe Christabel*" than the present.

Mrs. Webster's poems¹⁵ show precisely those qualities which Mr. Massey's for the most part want: they exhibit simplicity and tenderness. Mr. Massey runs riot in metaphors; Mrs. Webster's taste is perfect. It is quite true that where a hundred people have heard of Mr. Massey, only one has of Mrs. Webster. So much the worse for the ninety-nine. It is not so long since, however, that Browning and Morris were in Mrs. Webster's position, and were only appreciated by a few admirers. We may briefly therefore say, for those who are ignorant, that Mrs. Webster is the translator of the *Prometheus* of *Æschylus*, and the *Medea* of *Euripides*, and that her versions have won universal praise from all who are capable of forming an opinion. Some years ago she published two volumes of poems, which, like her translations, attracted the attention of the best critics. Mrs. Webster's poetry is not for the multitude; you must bring delicacy and refinement with you in order to appreciate its beauties. Mrs. Webster has no showy qualities. Her simplicity is likely to repel the multitude, whose taste has been vitiated by false imagery and sham sentiment. And this simplicity is combined with a subtlety of thought, feeling, and observation which demand that attention which only real lovers of poetry are apt to bestow. Her new volume shows marked progress. It exhibits greater self-restraint, a firmer technical handling, purer colour, and deeper thought. Mrs. Webster's power is not seen in detached passages. As Lessing said, "Ever so many flashes of lightning do not make daylight." And this is true of the highest poetry. It is, therefore, difficult by any extracts to convey an idea of Mrs. Webster's powers. The beauty of each piece lies, as it should, in the whole piece itself. It is not till we have read the whole poem through, and seen the bearings of part to part, that we apprehend its real excellence. There is, however, one short idyll—"The Happiest Girl in the World," from which we shall venture to give an extract or two. The poem is simple in the extreme. There is no action: it is merely the analysis of the feelings of a girl who has accepted her lover:—

"A week ago, only a little week :
It seems so much, much longer, though that day
Is every morning still my yesterday ;
As all my life 'twill be my yesterday,
For all my life is morrow to my love."

So the poem commences. And the girl is thankful for the little space

¹⁵ "*Portraits.*" By Augusta Webster. London : Macmillan and Co. 1870.

of time that she now has to realize "what to be his means." She is gradually led on to ask herself how their love grew :—

"The small green spikes of snowdrops in the spring
Are there one morning ere you think of them ;
Still we may tell what morning they pierced up :
June rosebuds stir and open stealthily,
And every new-blown rose is a surprise ;
Still we can date the day when one unclosed :
But how can I tell when my love began ?"

The whole of this scene is marked by a simplicity and subtlety of language and thought which it would be difficult to match in contemporary poetry. And then the girl continues :—

"Oh, was it like the young pale twilight star
That quietly breaks on the vacant sky,
Is sudden there and perfect while you watch,
And, though you watch, you have not seen it dawn,
The star that only waited and awoke."

This last line is perfect. We wish that we had room to describe the way in which her lover's love grew. We must, however, pass on to the account of her going to meet him, unconscious that he loves her :—

"And oh had I but known ! Why did no bird,
Trilling its own sweet lovesong, as I passed,
So musically, marvellously glad,
Sing one for me too, sing me 'It is he,'
Sing 'Love him,' and 'You love him : it is he,'
That I might then have loved him when he loved,
That one dear moment might be date to both."

This last again is one of those many perfect lines by which Mrs. Webster reveals those feelings which have been so often felt but never yet expressed. And then follow some lines in which the girl depreciates herself, and wonders how she could have attracted her lover's attention :—

"He waited as you wait the reddening fruit
Which helplessly is ripening on the tree,
And not because it tries or longs, or wills,
Only because the sun will shine on it ;
But he who waited was himself that sun."

And then follows the incident of a little child falling asleep on her lap, as she falls asleep by her lover's side, presaging and foreshadowing the rest which comes with perfect love :—

"And shall I for so many coming days
Be flower and sweetness to him ? Oh pale flower,
Grow, grow and blossom out, and fill the air ;
Feed on his richness, grow, grow, blossom out,
And fill the air, and be enough for him.
Oh crystal music of the air-borne lark,
So falling, nearer, nearer, from the sky,
Are you a message to me of dear hopes ?

Oh trilling gladness, flying down to earth,
 Have you brought answer of sweet prophecy?
 Have you brought answer to the thoughts in me?
 Oh happy answer, and oh happy thoughts!
 And which is the bird's carol, which my heart's?"

And then suddenly, with a Shakesperian touch, the girl breaks off, as she has done once before in the earlier part of the poem:—

"But I have known the lark's song half sound sad,
 And I have seen the lake, which rippled sun,
 Toss dimmed and purple in a sudden wind;
 And let me laugh a moment at my heart
 That thinks the summer-time must all be fair,
 That thinks the good days always must be good:
 Yes let me laugh a moment—may be weep."

After this the lines grow in intensity. She would not even have what "is women's dearest wish . . . to press a baby to her breast," for fear lest it should steal any of her love for her husband. "What would her heart be if it was halved?" And then, again, she stops and asks—"or would it grow?" And in this question lies the solution. Here, too, we must stop. We feel that we have not done the poem justice. Nor will our readers, we fear, be able to judge of its beauties by our extracts. The poem must be read like the others in the book as a whole. Lastly, we do not expect Mrs. Webster to be popular all at once. But if she only remains true to herself she will most assuredly take a higher rank as a poet than any woman has yet done.

If "Walpole; or, Every Man has his Price,"¹⁶ had not borne Lord Lytton's name on the title-page, we are quite sure that nobody would have read it. Whether Lord Lytton's present popularity will continue or not we shall not attempt to predict. It was said of his "St. Stephen's" that he had put a great deal of powder in, but had forgotten the ball. In his present attempt he has omitted both powder and ball.

Mr. George Smith's poems¹⁷ have already gained the public ear. The simple fact that they have been published in some of the best magazines of the day prove that they possess merit considerably above the average. Mr. George Smith has undoubtedly a most correct ear, and a command of language which is far from common. But we need not tell him much more is wanted. Few persons in these days can entirely devote themselves to the Muses; and without this devotion nothing can be accomplished. Mr. Smith's poems appear to be the amusement of the spare hours of an accomplished man rather than the devotion of a life.

Every mother ought to possess "Child-Nature."¹⁸ When we simply

¹⁶ "Walpole; or, Every Man has his Price." A Comedy in Rhyme. In Three Acts. By Lord Lytton. Edinburgh: William Blackwood and Sons. 1869.

¹⁷ "A Queen's Death, and other Poems." By George Smith. London: Longmans, Green, and Co. 1870.

¹⁸ "Child-Nature." By one of the Authors of "Child-World." London: Strahan and Co. 1869.

say that it is by one of the authors of "Child-World," we have done enough to recommend it to every nursery in Great Britain. We would, however, advise the author to cut out some of the jokes, which are both weak and misplaced.

Mr. Kendall, probably fearing that his poems¹⁹ would be above our comprehension, has most thoughtfully pasted in for our benefit the opinion of the *Melbourne Argus* upon them. We are certainly much obliged to him, as it has relieved us from all further trouble in the matter.

Mr. Teetgen's²⁰ poetry is of the usual stamp. Here is a stanza :—

"Brooks steal out from the tree,
Bubbling and rushing by me,
Soliloquize to the sea,
Leaping along."

Brooks may possibly steal out of a tree. But how one thing can soliloquize to another is a puzzle.

Miss Bayne's²¹ poems are of the same order as Mr. Teetgen's, with a little religion flung in. Here is a specimen :—

"Beautiful valleys of glistening corn,
Drinking the dewdrops the fairies have worn,
Bursting with laughter all over the land—
Flinging the ripe grain afar with each hand,
Dancing and racing the frolicsome brecze,
Resting when weary beneath the still trees," &c. &c.

The valleys may perform all these gymnastics. But we think that it is the reader who is likely to burst with laughter.

Mr. Kaines has bestowed a great deal of labour on the "Love-Poems of All Nations."²² He has apparently laid most countries under contribution. North and South alike yield him stores. His collection, too, has not been made without taste and discrimination.

The Editor of "The Odes of Anacreon"²³ has, however, made a grave mistake, both in taste and discrimination. His statement that the genius of Girodet de Roussy is Greek in character, is about as correct as his other statement, that Moore's translation is in harmony with the spirit of Anacreon. Without going into detail, our chief objection to this edition is that the illustrations are often revoltingly ugly.

It is hardly fair to judge Mr. Fitzgerald's "Proverbs and Come-

¹⁹ "Leaves from Australian Forests." By Henry Kendall. Melbourne : George Robertson. 1870.

²⁰ "Fruit from Devon. And other Poems." By Alexander Teetgen. London : Williams and Norgate. 1870.

²¹ "Sighs of Hope." By Emily Bayne. London : Basil Montagu Pickering. 1870.

²² "The Love-Poems of All Nations." Compiled by Joseph Kaines, F.A.S.L. London : Basil Montagu Pickering. 1870.

²³ "The Odes of Anacreon." Translated by Thomas Moore. With Fifty-four Illustrative Designs by Girodet de Roussy. London : John Camden Hotten. 1870. [Vol. XCIII. No. CLXXXIV.]—NEW SERIES, Vol. XXXVII. No. II. T T

diettas"²⁴ without seeing them acted. A piece which often reads tamely in the closet succeeds on the stage. Mr. Fitzgerald's pieces appear, however, to possess the qualities which command success—easy dialogue, interesting situations, and no small amount of humour.

A number of books for boys and girls deserve some notice, as being far superior to the general character of such works. Canon Kingsley's²⁵ well-known fairy tale is the most ambitious. Perhaps it is a little too ambitious. There are some things in the book the meaning of which we doubt if Canon Kingsley himself quite understands. Still better, in our opinion, is Mr. Knatchbull-Hugessen's "Stories for My Children."²⁶ The "Story of the Brown Fairy" is told with genuine humour, which is not lost in the illustration. Lastly comes Miss Yonge's book,²⁷ which is much more substantial fare. We do not pretend to have examined it very critically. We are, however, always ready to accept Miss Yonge upon trust. It appears though that some portions are not to be taken quite at the foot of the letter. Would it not be well, however, for one who can make history as attractive as fiction, for both young and old, to keep strictly to historical truth? Life is so dreadfully short that we have hardly time to learn, much less time to unlearn.

We owe a debt of deep gratitude to Mr. Arber.²⁸ It has been said that the printing-press abolished all class privileges. This, however, has been far more true in theory than in practice. Some of the old book-clubs for reprinting rare books were founded upon a system of exclusiveness. No one, unless they possessed what was formerly said to be the All Souls qualification for a fellowship—of being *Bene natus, bene vestitus, et mediocriter doctus*—was admitted as a member. Limited impressions of valuable books are still printed, as if with the sole purpose of preventing the multitude from enjoying them. Mr. Halliwell prints ten copies of such a work as Sharp's "Warwickshire Glossary," and the same number of a "Concordance to Shakespeare's Poems." The last book would be welcomed by philologists in all parts of the world. Instead of, however, being sold for five shillings, the only copy which has ever come into the market fetched over six pounds: it is thus safely put out of the reach of all ordinary students. Poverty is made a crime even in literature; we repeat, therefore, that we owe a debt of deep gratitude to Mr. Arber for breaking down the old class-exclusiveness. He is giving us, as the whole English-speaking world ought to know, an admirable series of well-selected and carefully edited reprints, printed in good type and on good paper, at a price

²⁴ "Proverbs and Comediettas." Written for Private Representation. By Percy Fitzgerald, M.A., F.S.A. London: Strahan and Co. 1869.

²⁵ "The Water Babies: a Fairy Tale, for a Land Baby." By the Rev. Charles Kingsley, Canon of Chester. New Edition. London: Macmillan and Co. 1869.

²⁶ "Stories for My Children." By E. H. Knatchbull-Hugessen, M.P. London: Macmillan and Co. 1869.

²⁷ "The Caged Lion." By Charlotte M. Yonge. London: Macmillan and Co. 1870.

²⁸ "English Reprints: Nicholas Udall, Roister Doister." Carefully edited from the Unique Copy now at Eton College, by Edward Arber, F.R.G.S. London: E. Arber. 1869.

which, for its cheapness, is perfectly marvellous: he is, in short, making what was formerly the privilege of a few the possession of the many. In his hands the printing-press is really democratic: such an undertaking deserves every support; if it fails, it fails from no fault of Mr. Arber's, but from the apathy of the public. His last reprint is the first English comedy, "Roister Doister," written some time before 1553, by Nicholas Udall. The value of the play, as illustrating the rise of the English drama, cannot be exaggerated. But the comedy itself is by no means destitute of merit. It contains passages of genuine humour and several charming songs, some of which—as "Pipe Merry Annot," and, "I mun be married a Sunday"—have long since taken their place in all collections of English poetry. The only suggestion which we have to make is whether it would not be worth while to add a few notes by way of explanation, as has been done in Pulham's edition, where, however, a strange blunder occurs. Mr. Arber must remember that he is editing for the general reader, who cannot be expected to understand the meaning of many of the obsolete phrases and terms. We shall hope that the present play is only the beginning of a series of our early English comedies, most of which, as "Roister Doister" has been till the present moment, are quite inaccessible to the public.

If the Professor of "Belles Lettres"²⁹ in Harvard College is so strong, what must the Professor of History be? Professor Lowell has written a book which we cannot too highly praise: it is brilliant in style, and masculine in its good sound sense. To whichever of the six essays we turn we find something original. With the Americans the admirable essay—admirable no less in its firm grasp of the subject than in general historic knowledge—upon "New England Two Centuries Ago" will doubtless be most read. But the key-note of them all is the same. Professor Lowell never loses sight of the fact that all the beautiful sentiments in the world weigh less than a single lovely action. This is the corner-stone of his teaching: he equally impresses it when he is criticising Petrarch and Rousseau, or when defending Rousseau against the criticisms of Burke and Moore. It is Professor Lowell's high and manly tone which gives such weight to his teachings. One essay, "Shakespeare Once More," is sure to attract attention; it is really refreshing, after all the nonsense which has been talked, more especially in Germany, to meet with sober criticism. Professor Lowell, noticing the happy conjuncture of events at Shakespeare's birth, comments on the diction of the common people. "We are startled," he observes, "to find the common sailors in 'Hakluyt's Voyages' using a speech which we should be glad to buy back at any cost;" and the same remark is applicable to the poorest sermons and pamphlets of the day. And this is, after all, the real reason why we so often cannot understand Shakespeare. We do not speak the speech he spoke. *Multa ignoramus quæ nobis non laterent si veterum lectio nobis fuit familiaris.* Excellent, too, are Professor Lowell's remarks

²⁹ "Among My Books. Six Essays." By James Russell Lowell, A.M., Professor of Belles Lettres in Harvard College. London: Macmillan and Co. 1870.

upon Shakespeare's classical knowledge. He sums up the whole matter in the following pregnant sentence: "Shakespeare's resemblance to the classics is that of consanguinity, more striking in expression than in mere resemblance of feature." He even has the boldness to question Ben Jonson's criticism upon the famous line, "Cæsar did never wrong but with just cause," and we certainly think that he has succeeded in turning the edge of it. Professor Lowell, in short, so thoroughly understands the requirements for an editor of Shakespeare, that we shall hope that he may some day undertake the task, and increase our obligations to America in Shakespearian criticism. In conclusion, we give a hearty welcome to his present work.

Amongst miscellaneous books we must class Herr Oswald's "Account of the Italian Guest."³⁰ The old courtesy books were something very different to what we might now expect from the title. Many of them were really treatises on ethics. One of the best known was Casa's "Galateo" [1576], a curious epitome of which, apparently unknown to Lowndes, may be found bound up at the end of the "Golden Cabinet" [1616]. The first thing which strikes us on reading Herr Oswald's account of Thomasin von Zirclaria is how much better such work is produced by societies than by publishers. A publisher would assuredly have spoilt Herr Oswald's account. It would not have been long enough for the exigencies of the trade, and the author would have been obliged to have filled it out with padding. The account as it now stands is the model of a monograph. The labour has evidently been one of pure love. Unfortunately we have no space for quotation. But all those who take any interest in the literature of the thirteenth century should turn to Herr Oswald's pages. And here we may take the opportunity of repeating what Mr. Skeat has said in the pages of a contemporary, that the publications of the Early English Text Society can be purchased separately, as should be the case with all societies, by non-subscribers.

Mr. Seton³¹ has hardly allowed himself room to do full justice to the main part of his subject. Now that the art of letter-writing has been destroyed by the penny post, we should like to see a really good collection of letters by the best letter-writers, such as, for example, Gray. We prefer Gray's letters almost to his poetry. There is an ease about them which contrasts favourably with the artificial character of much of his verse. Mr. Seton's book, however, deals with other matters besides letters in the purely literary sense. We have chapters on Post-office Statistics, on Handwriting, and on Character from Handwriting. Tables are given us of the various sorts of hands which great men, statesmen, poets, historians, and generals have written.

³⁰ "Early German Courtesy Books." An Account of the Italian Guest, by Thomasin von Zirclaria. Of "How the Knight of Winsbeke Taught His Son, and the Lady of Winsbeke Her Daughter." "The German Cato and Tanhaeuser's Courtly Breeding." By Eugene Oswald. Being a Portion of Part II. of "Queene Elizabeth's Achademy," &c. Issued by the Early English Text Society. In 4to. Extra Series. 1869.

³¹ "Gossip about Letters and Letter-Writers." By George Seton, Advocate, M.A. Edinburgh: Edmonston and Douglas. 1870.

Altogether the book thoroughly carries out its title, as far as these chapters are concerned. The reader will find both information and amusement in its pages.

"Short and sweet poems, framed to praise or dispraise, or some other sharpe conceit which are called Epigrammes." Thus Camden defines epigrams. And though Mr. Dodd³² would certainly shrink from adopting Camden's criticism upon the relative merit of English epigrams compared with Greek models, yet he substantially adopts the definition. His collection is very wide and varied. There are few books which, if tastefully edited, make such delightful reading as a collection of epigrams. We can always with pleasure take up the "*Delitiæ Delitiarum*," and the "*Musarum Deliciæ*." On the other hand, no books are so offensive as the average "Help to Discourse," "Enemy to Idleness," "Triumph of Wit," and all the rest of the tribe, compiled by persons who are as deficient in taste as in scholarship. Mr. Dodd's collection belongs to the former class. His preface shows how thoroughly he is qualified for the task which he has undertaken. He understands what both wit and poetry mean. If we were inclined to quarrel with him it would be on the ground that in the body of his work he is hardly true to the canons of his preface. A collection of epigrams is like the Sybil's books. It will bear dividing and dividing, and each time becomes more valuable by the process. There are in the present volume very many epigrams which we should at once expel. We need not name them; for we are quite sure that Mr. Dodd is as capable of detecting a weak epigram as any man. Let us, too, at the same time, beg for the immediate expulsion of all epigrams whose point depends on the spelling or pronunciation of a word. All such vile pieces containing puns upon gout (p. 463), and craft (p. 492), &c., should be banned without mercy. Punning is the wit of a fool. When Mr. Dodd has thoroughly purged his collection, and given us the originals of the translations, his book is sure to become an authority. His notes display both scholarship and taste. He has in this portion done for the volume what Dr. Oesterley has for Shakespeare's *Jestbook*. One word more. Mr. Dodd gives us a long list of books of reference. We miss, however, Ashe's rare "*Fasciculus Florum*," in which will be found many happy, though quaint translations. There are two editions, one of 1618, sold at the Heber sale in 1835 (see *Catalogue*, part v. lot 991), and another of 1636, sold at Sir Mark Sykes' sale.

Dr. Pick's³³ is a laudable attempt to supply what is really a great want—a good French and English Dictionary. He is on the right road. But he has stopped half-way. He is perfectly correct when he says, that a word is more easily remembered "if we trace it in other languages already known to us." But Dr. Pick seldom traces his words far enough. The book is very well as far as it goes, and to

³² "The Epigrammatists: a Selection from the Epigrammatic Literature of Ancient, Mediæval, and Modern Times." With Notes, Observations, Illustrations, and an Introduction. By the Rev. Henry Philip Dodd, M.A. London: Bell and Daldy. 1870.

³³ "An Etymological Dictionary of the French Language." By Edward Pick, Ph.D. London: John Murray. 1869.

a certain extent supplies what is so greatly wanted. Thus, for example, Dr. Pick gives us "Pervenche, s. f. periwinkle; It. pervinca; pervinca, vinca." But we do not know that a boy is much the gainer by this: he wants to go a step further. Dr. Pick has left out the one important word. The boy wants to be told that vinca itself comes from vincire, to bind; and that the plant, like some others, really means the binding plant, in allusion to its growth. If, too, Dr. Pick had added that Chaucer and our older poets wrote pervinke and pervenke, the boy would have thoroughly grasped not only the meaning of the word, but would have remembered it by tracing it in his own language. Dr. Pick, however, seems so dreadfully afraid of using too much space. His book by no means yet comes under the ban of the proverb about big books. It might be increased to double its size without being unwieldy. We hope Dr. Pick will take this under consideration. If his method was properly carried out, his Dictionary would command all the schools in the kingdom.

We have in England our "Handbook of Fictitious Names and Literary Forgers," but it is a very simple affair by the side of the new edition of Quérard's "Supercheries Littéraires Dévoilées."³⁴ Thackeray somewhere tells a story of a man who bought the manuscript of a novel and published it as his own. What Thackeray merely imagined may be found to have its counterpart in real life in Quérard's pages. The book is not merely amusing but useful, and should have its place in every good library.

The jokes in the "Autour de la Lune"³⁵ are excessively heavy. Mr. De Morgan might perhaps have given an interest both to the comic and scientific parts; but this is clearly beyond the reach of M. Jules Verne.

Heine's³⁶ humour has been described as "sentimentalism soured," and this is often true of the humour of his poetry. Humour, too, is sometimes with Heine a mere trick. Those who are curious to see the way in which Heine worked and polished up his wit should study these Remains. This is, after all, the chief value of the book. The poems, with one or two notable exceptions, can hardly be considered worthy of him. The fragments of prose cannot, as they stand, be fairly judged. They remind one of those detached sentences which are found in the editions of Swift's works, but with, of course, a far wider range of thought.

Whilst Shakespeare commentators in England are content to plod away at the mere meaning of words, our German brethren are taking much higher flights. *Tò tí ἦν εἶναι*,³⁷ if we rightly understand it, is an attempt to define Shakespeare's philosophy as it may be gathered

³⁴ "Les Supercheries Littéraires Dévoilées." Par J. M. Quérard. Seconde Edition, considerablement Augmentée. Publiée par MM. Gustave Brunet et Pierre Jannet. Tome II. 1^{re} Partie. Paris: Paul Daffis. 1869.

³⁵ "Autour de la Lune." Par Jules Verne. Paris: J. Hetzel et C^e. 1870.

³⁶ "Letzte Gedichte und Gedanken." Von Heinrich Heine. Hamburg: Hoffmann and Campe. 1869.

³⁷ "*Tò tí ἦν εἶναι*. Die Idee Shakespeare's und deren Verwirklichung" Von Carl Karpf. Hamburg: W. Manke Sohne. 1869.

from "Hamlet" and the Sonnets, and to prove that their author is an Aristotelian.

The Editors of the "Schiller-Lexicon"³⁸ have brought their labours to a conclusion. The work is finished with the completeness which distinguished the first volume.

Amongst reprints we must give the first place to "Friends in Council."³⁹ We trust that the Peace Society's attention will be directed to the admirable Essay upon War, in the first volume of the second series. Every one of the arguments is as strong now as ever. We must not forget to note two editions of Leigh Hunt's Essays. The first⁴⁰ is well known. The second⁴¹ is carefully and tastefully edited by Mr. Ollier, whose notes will be found serviceable in explaining the allusions to things and persons now forgotten. We must give, too, a word of praise to Mr. Alexander Murray's cheap and handy reprint of Warton's "History of English Poetry."⁴²

We can afford but a small space this quarter to the translations. "Flowers from Fatherland"⁴³ are very much above the average. Those which we have examined, especially from Heine, are characterized by many happy touches; and Heine is always a good test.

Of Conington's version of the "Satires and Epistles of Horace"⁴⁴ we need say nothing. If Horace had desired to have been translated into English, it would have been by Conington.

We give a hearty welcome to the first instalment of the "Classics for English Readers."⁴⁵ The idea is good, and seems well carried out.

We must not pass over the "Horæ Tennysonianæ,"⁴⁶ edited by Mr. Church, though we should have been far more pleased to have seen him in the capacity of author rather than of editor and translator. We need not say that every page bears the marks of taste and scholarship. A poet is here translated by a poet.

Lastly we have to acknowledge the "Iliad,"⁴⁷ edited by Mr. Reynolds. It fully sustains the high standard of the Catena Classicorum Series.

³⁸ "Schiller-Lexicon. Erläuterndes Wörterbuch zu Schiller's Dichterwerken unter Mitwirkung von Karl Goldbeck," bearbeitet von Ludwig Rudolph. Zweiter Band. Berlin. Effort und Lindtner. 1869.

³⁹ "Friends in Council: A Series of Readings, and Discourse thereon." First and Second Series. London: Smith, Elder, and Co. 1869.

⁴⁰ "Imagination and Fancy." By Leigh Hunt. Fourth Edition. London: Smith, Elder, and Co. 1870.

⁴¹ "A Tale for a Chimney Corner." By Leigh Hunt. Edited by Edmund Ollier. London: J. C. Hotten. 1869.

⁴² "The History of English Poetry, from the Eleventh to the Seventeenth Century." By Thomas Warton, B.D. London: Alex. Murray and Son. 1870.

⁴³ "Flowers from Fatherland. Transplanted into English Soil." By John Pitcairn Trotter, A. Mercer Adam, M.D., and George Coltman, B.A. Edinburgh: William Blackwood and Sons. 1870.

⁴⁴ "The Satires, Epistles, and Art of Poetry of Horace. Translated into English Verse." By John Conington, M.A. London: Bell and Daldy. 1870.

⁴⁵ "Ancient Classics for English Readers." Edited by the Rev. W. Lucas Collins, M.A. Homer: The Iliad. Edinburgh: William Blackwood and Sons. 1870.

⁴⁶ Horæ Tennysonianæ. Sive Eclogæ F. Tennysono Latine Redditæ, curâ A. J. Church, A.M. London: Macmillan. 1870.

⁴⁷ "The Iliad of Homer. With Preface and Notes." By S. H. Reynolds, M.A. London: Rivingtons. 1870.

ART.

GIVING honour to claims prospective rather than present, we place first upon our list of lately issued art books a small fragment of what will one day be a very huge book indeed. Just as the final appendix of Müller's "Dictionary of Artists" is being separately issued, and bringing its contents down to our immediate time, the first instalment of another and vaster "Dictionary of Artists" is issued under the auspices of Dr. Julius Meyer¹ of Munich. Dr. Julius Meyer, in this new edition of Nagler's great book of reference, has undertaken one of those tasks from which any non-German mind would shrink. He has undertaken to supervise and edit a complete, exhaustive, and critically accurate Encyclopædia of Art-biography, which is to contain accounts of the lives and lists of the works of every artist in whatever kind, illustrious or obscure, that has lived or is living in ancient or modern times. For this purpose the co-operation of a body of more than fifty of the best known European critics and investigators has been secured; and Dr. Meyer finds himself at the head of a regiment including such names as those of Brunn, Falke, Hermann Grimm, Kuhn, Lübke, Lützow, Ruland, Schnaase, Springer, Unger, Woltmann, Crowe and Cavalcaselle, Paul Lefort, Paul Mantz, Otto Mündler, Frederic Villot, every one, in a word, who has the reputation of especial science in any branch of the subject. The first instalment, issued nearly three months ago, carries us down as far as "Ad" only, and we fear that few of the present contributors can be expected to survive until Z is reached. Meantime the repertory, whether it ever gets completed or not, promises to be one of unexampled value, inspiring confidence in its accuracy the moment it is opened, and to which no inquirer will turn without just hope of having his inquiry satisfied. The most important articles included in the present instalment are those on the Modenese family of painters "dell' Abate," by M. Mündler, and on the Milanese family of modellers and medal-designers "Abondio," by the editor.

The enthusiastic sacristan of the ancient Church dedicated to the Virgin at Danzig, has put forth (at his own cost, we wonder?—for it is not a publication that can pay) two volumes devoted to the detailed illustration and description of the treasures of his church.² A stout volume of photographs, and a thin volume of text; both handsomely and ambitiously got up, and the pair enclosed for protection in a case of board—this is surely more than ever has been done for the treasures of any other church-sacristy. What seems to have suggested the undertaking was the discovery made by the author during some restorations done in the years 1861-62, of many treasures that had been

¹ "Allgemeines Künstler Lexicon;" herausgegeben von Dr. Julius Meyer. Zweite gänzlich neugearbeitete Auflage von Nagler's Künstler-Lexicon. Erster Band. Erste Lieferung. Leipzig: Englemann. 1870.

² "Die Schatzkammer der Marienkirche zu Danzig." Beschrieben von A. Hinz; mit 200 photographischen Abbildungen. Danzig: Kafemann. 1870.

disused and hidden out of sight since the transfer of the church from the purposes of the catholic to those of the evangelical cult and ritual. "The railways," writes our sacristan, "which now traverse the Continent, have made our venerable old town like others more accessible than of yore, when for the most part foreigners only approached it from the sea; so that it becomes the resort of a yearly increasing number of tourists, to whom the sight of the admirable art memorials of Danzig affords enjoyment not less than the visit of its charming environs affords pleasure" (we translate literally). And foremost among these art memorials he reckons the sacred vestments and utensils of the Marienkirche, amounting to "ninety-two chasubles, twenty dalmatics, twenty pluvialia, twenty-four umbracula, eleven antependia," (we hope the reader is ritualist enough to follow this catalogue) "and a multitude of albs, stoles, copes, maniples, horaries, embroidered cloths, reliquaries, caskets, goblets, chalices, and plate, besides many other liturgical appliances by-and-bye to be described in detail." Of most of these we find in the larger volume photographs (by Herr Busse) and in the smaller volume descriptions. Our author enhances the value of his text by prefacing each section of it, devoted to this or that branch of ecclesiastical ornament, with a short general and historical disquisition. Thus the work is one of real value for the ritualist or ecclesiastical antiquary.

A still more remarkable instance of what we conceive must be irrecoverable outlay on a religious book of *luxure* is the sumptuous treatise on the Instruments of Christ's Passion, just issued by the "Liturgico-Catholic Library" in Paris. This is only an art-book in virtue of its sumptuous appearance, and of the elaborate illustrations given in it of the relics distributed about Europe, and supposed (by those who choose) to be authentic, of the actual instruments of the historical Passion.³ A treatise on various artistic representations of these instruments that occur in pictures of the Passion scenes might have made an art-book of interest; but this, so to speak, is a superstition-book merely—a book written with all and more than all the devout credulity of the middle age; going into elaborate calculations about the exact weight of the True Cross, and giving elaborate drawings and measurements of whatever fragments of it are fabled to be preserved in the various reliquaries of Europe; parading a whole enginery of spurious learning and fictitious archaeology; solemnly recording, with *pièces justificatives* in the shape of patristic or Papal archives, the legendary history or miraculous "discovery" of this or that chip of the True Cross, or Holy Nail, or Holy Handkerchief, or Thorn of the Holy Crown, and so on. Of its character, upon its subject, and given its data (strange as all of these must seem to most readers of our century), the book seems to be an exhaustive, we had almost written a scientific one. Externally, with its rich red binding, this belated monument of piety resembles one of Gustave Doré's books of illustrations.

Belated piety and orthodoxy out of water—the piety and orthodoxy of devout Catholicism—are characteristics of several of the books with

³ "Mémoire sur les Instruments de la Passion de N.-S. J.-C." Par Ch. Rohault de Fleury. Paris: L. Leport. 1870.

which we have to-day to deal. They are characteristics of M. Gruyer's elaborate three-volume treatise on the Iconography of the Virgin Mary, lately issued from the library of M. Renouard.⁴ From his own Catholico-spiritual point of view, M. Gruyer has already made the work of Raphael the object of an affectionate and penetrating study; and his two essays on "Raphael and Antiquity" and "Raphael's frescoes at the Vatican" may possibly be known to some among our readers. This is a more important and ambitious work, that may in some sort claim to rank beside Didron's "*Histoire de Dieu*"—or rather perhaps (since its character is rather sentimental than scientific), beside Mrs. Jameson's "*History of our Lord*." M. Gruyer's plan is to trace the variation and development of the types under which the Virgin Mary was represented in Christian art from the beginning, and to end with a detailed description and criticism of all the Virgins of Raphael. Raphael is in our author's eyes what he has been (whether justly or no) in the eyes of so many enthusiastic students—the religious painter by pre-eminence, the painter who kindled flesh with spirit more than any other, who developed, diversified, refined, exalted the original ideal of the early Christian ages, and expressed this with the finished and formal perfection of Renaissance knowledge; whose Virgins are an ever-adorable company of sublimated women, wearing each some different aspect of mystic piety or purity or rapt devotion and meditation, entrancing the spirits of the beholder with the highest and tenderest emotions. It is needless to say that M. Gruyer starts with a stock of ideas which are more familiar than unimpeachably sound—ideas such as those propagated with the greatest power by Rio—of the enormous contrast existing between the soullessness of classical art and the soulfulness (if one may say so) of Christian art—Pagan art pure body, early Christian art pure soul, Raphael the reconciliation of the two,—and of the worthlessness of whatever in art is not illuminated with the flame of devout purity and immortal aspiration. This is a stock of ideas that needs a great deal of revision and modification before it can serve as the basis of a history of painting, or even of a history of pictorial representations of the Virgin. Did not M. Gruyer entertain these ideas unrevised and unmodified, and so give to many of his speculative passages a washy colour that does not stand the test of daylight (e.g., his speculations on the instant elevation of womanhood by Christianity, and on the connexion between Mariolatry and all the virtues)—did he not do this, his book would be really an exhaustive history of representations of the Virgin, and thus in fact an adequate history of Italian painting. For of the materials of his subject our author is thoroughly master; he is thoroughly familiar both with mediæval art and the literature of mediæval art, and his account of the schools deriving from Byzantine sources and their development on Italian soil, leaves nothing to be desired on the score either of readableness or research. He divides his subject systematically: giving his first volume to the consideration of "Images of the Virgin in Italy, regarded without reference

⁴ "*Les Vierges de Raphael et l'Iconographie de la Vierge*." Par F. A. Gruyer. En III. Volumes. Paris: Renouard. 1869.

to the facts of the Gospel narrative, from apostolic times to Raphael ;" his second volume to "the Virgin as concerned with Gospel incidents, in the works of Raphael and his precursors;" his third to the Virgins proper of Raphael. M. Gruyer's third volume is protracted to tediousness by his enthusiasm, and by the command of epithets which his enthusiasm gives him. Thus he devotes fourteen pages to the little picture of "the Knight's Dream," which our readers know in the National Gallery ; from his account of which we take the following characteristic passage :—

"Un jeune homme, presque un enfant, revêtu d'une armure, dort et rêve. Il voit en songe deux jeunes filles, dont l'une représente la gloire, la vertu, la religion, l'honneur, et l'autre le plaisir. On peut considérer aussi ces deux figures comme symbolisant, l'une l'amour sacré, l'autre l'amour profane. . . . Quand on regarde cette peinture, on se sent pénétré d'un ravissement dont on retrouve difficilement l'analogie dans l'œuvre entière de Raphaël. C'est que la virilité précoce du génie se montre ici enveloppée de toutes les séductions de l'enfance. Ces trois figures, en effet, sont encore des enfants. Ils sont du même âge, et jouent entre eux, avec la naïveté d'un même cœur de quinze ans, une de ces moralités philosophiques dans le goût de la cour d'Urbain à la fin du XV^{me} siècle ; et les personnages qu'ils représentent sont d'une candeur si vraie, si pénétrante, qu'on ne peut leur refuser la portée morale à laquelle ils prétendent. Ajoutons que la couleur est ravissante, et que le décor est aussi frais que les figures. Au milieu se dresse un laurier, dont les feuilles couronneront un jour le front du chevalier. Au fond on aperçoit des montagnes bleues et transparentes. À gauche, derrière un premier monticule, s'élève une roche escarpée, au sommet de laquelle on aperçoit une église. C'est de ce côté que se tient la vertu, et la nature, complétant l'allégorie, nous élève comme par degrés jusqu'à Dieu. On devine les aspérités de la route où il faudra combattre pour la vérité ; et au faite, le clocher semble montrer le ciel, comme le but immuable vers lequel il faut tendre. À droite, au contraire, du côté du plaisir, les pentes doucement inclinées, recouvertes de gazons, conduisent sans effort jusqu'à la rive d'un fleuve. Cette eau qui court figure la rapidité de la vie ; elle rappelle sans cesse que tout passe et se renouvelle, la jeunesse comme les fleurs, et que, si de la beauté l'esprit ne sait dégager l'âme, cette beauté se flétrit et meurt sans laisser trace dans le courant des âges."

The "Union Artistique" of Paris held lately an exhibition of the works of a landscape-painter deceased about a year ago—M. Paul Huet ;⁵ and we have now before us the biography and catalogue of which that exhibition was the occasion. To draw up this little book has evidently been a labour of love with its author, M. Ph. Burty of the *Chronique des Beaux Arts*. Paul Huet was an artist of talent and repute rather than of genius and renown, and the sample here given by way of frontispiece—a sinudgy and second-rate etching—is not such as to give a good idea of his powers to those unfamiliar with his work. His name is one of those that has gained something of factitious importance from its alliance with a group of more distinguished names. He was an early member, it might almost be said a leader, of that group of French artists who, under the title of

⁵ "Paul Huet: Notice Biographique et Critique, suivie du Catalogue de ses Œuvres." Par Philippe Burty. Paris: Decembre. 1869.

the Romantic School, opposed themselves forty years ago to the consecrated teaching and practice of art in France, and, in conjunction with a like-minded faction in literature, and with the help of literary organs like the *Globe*, brought their revolution to a successful issue. The school of critics to which M. Burty belongs are a little apt, perhaps, to exaggerate the stature of the heroes of this movement each and all; and they have besides a special sympathy for that class of landscape-painting aiming at effect and not detail, and apt (although derived through Bonington straight from Constable) to look sloppy and washy to English eyes, in which Huet was a proficient. His biographer has made the very utmost of his materials, and produced a little book of much sparkle and spirit, written in that ultra-Parisian style which even into the description of open-air country matters imports a keen urban aroma, a perfume and glitter not of nature but of the salon and the theatre.

Lady Eastlake deserves the thanks of every one for the volumes of which the last is now in our hands. To the literature of the fine arts no more important "Contributions"⁶ have been made in our country than those by the late accomplished President of the Royal Academy, and to his "Contributions" a welcome comment and supplement is furnished in the memoir prefixed by his widow to this instalment of them. Sir Charles Eastlake was one of those natures in whom a singular enthusiasm was allied with a singular steadiness, and who went through life in unwavering and self-possessed pursuit of the excellent ends which he had set himself; always laborious, always amiable, always successful, always distinguished; giving the rare spectacle of a career complete and harmonious, proceeding through unthwarted effort to ungrudged reward. There is a good deal in the character of Eastlake as set before us (chiefly in his own words) in the present volume, that reminds one of that of Bunsen, as set before us in another biography which we in like manner owe to the piety of a widow. The same lifelong industry made easy by habit; the same clear grasp and happy unflinching practice of duty; the same unembarrassed gift of always settling, and never pushing, into the place due to distinguished natures among, or above, those with whom they associate; the same conformity with the current ideas of their time—a conformity helping them to lead more comfortable lives than are ever led by quite the highest sort of men; the same excellence rewarded by the same homage. In this connexion it is interesting to note the friendship of the two men when they were young together in Rome; to read in a letter of Eastlake's, just feeling his way in the society of Rome, how Bunsen had taken him to an evening at the Waddingtons. The greater portion of the present memoir deals with the earlier years of Eastlake's life—his boyhood, his studentship, his long residence at Rome, his pursuit of those studies which eventually made him one of the most accomplished of English painters and most enlightened of European

⁶ "Contributions to the Literature of the Fine Arts." By Sir Charles Lock Eastlake. Second Series. With a Memoir compiled by Lady Eastlake. London: Murray. 1870.

critics; his trip to Greece; his return and establishment in London, up to the final attainment of his social and professional position. The twenty last years of his life are more shortly dealt with; on the ground, says the editor, that all that is most characteristic of a man sufficiently manifests itself in the first part of his life. The several essays that fill the latter part of this volume are so many further instances of their author's combined gift of accurate knowledge and judicious reasoning. The longest of them, called "How to Observe," is an unsystematic but nevertheless exceedingly valuable statement of a multitude of historical and critical facts connected with fine art, and chiefly with that of the Italian Renaissance; of which the object seems to be to set forth the kind of knowledge which is necessary for the appreciation of historical phases of art, the kind of associations to which a work of art ought to give birth in the instructed spectator; and thus to furnish a guide and stimulus to right criticism. Of his exhaustive reading of the literature of his subject Sir Charles Eastlake has here made admirable use, and his discursive chapters teem with hints for any future historian of art or of the Renaissance.

A very much humbler contribution to the literature of the expert and the connoisseur is Mr. Manfred Holyoake's little essay on "The Conservation of Pictures."⁷ Of late years a reaction from the practice of over-restoring, consequent naturally upon the evils of such practice, has led to an opposite error in the shape of no restoring at all. Mr. Holyoake's purpose is to deprecate each alike of these extremes, and to set forth with the authority of experience what does actually lie within the power of a picture-restorer (or as he would more comprehensively style it a picture-conservator) and what does not. Mr. Holyoake writes with intelligence of the innumerable niceties of chemical knowledge, ocular discrimination, and manual delicacy that are required in the practitioner of conservation who shall really do what is best for reducing the work entrusted to him as near as may be to its original state, or for maintaining it undeteriorated in its original state. Not that practice of this kind can be taught by written explanation; but that possessors or curators of pictures are likely to be encouraged to do that which is safest for their charge by an explanation thus commanding confidence, and written by a hand that evidently combines caution with enthusiasm and moderation with proficiency.

The Dean of Westminster has issued, in a separate volume of 180 pages, the additions and corrections which he has received from various quarters since the issue of the first edition of his "Memorials of Westminster Abbey,"⁸ and which he has incorporated with its subsequent editions. It is in order to exempt purchasers of the first edition from the necessity of purchasing a subsequent that this supple-

⁷ "The Conservation of Pictures." By Manfred Holyoake. London: Dalton & Lucy. 1870.

⁸ "Supplement to the Historical Memorials of Westminster Abbey." By Arthur Penrhyn Stanley, D.D., Dean of Westminster. London: Murray. 1870.

ment is issued. Readers who have compared the successive issues of the book know what a quantity of new matter, entertaining alike for the lover of art, of history, and of anecdote, has poured in upon its author in response to the invitation of his preface. Here is an anecdote of a scene in the Cloisters, described by Lilly (1637), and likely to have suggested the famous night scene in the "Antiquary."

"Davy Ramsey, his Majesty's clockmaker" (here we are again reminded of Walter Scott), "had been informed that there was a great quantity of treasure buried in the cloysters of Westminster Abbey; he acquaints Dean Williams therewith, who was also then Bishop of Lincoln; the dean gave him liberty to search after it, with this proviso, that if any was discovered his church should have a share of it. Davy Ramsey finds out one John Scott, who lived in Pudding-lane, and had some time been a page (or such like) to the Lord Norris, and who pretended the use of the Mosaic rods to assist him herein. I was desired to join with him, unto which I consented. One winter's night, Davy Ramsey, with several gentlemen, myself, and Scott, entered the cloysters; Davy Ramsey brought ~~an~~ half-quartern sack to put the treasure in; we played the hazel rods round about the cloyster; upon the west side of the cloyster the rods turned over one another, an argument that the treasure was there. The labourers digged at least six foot deep, and then we met with a coffin; but in regard it was not heavy we did not open, which we afterwards much repented. From the cloysters we went into the abbey church, where upon a sudden (there being no wind when we began) so fierce, so high, so blustering and loud a wind did rise that we verily believed the west end of the church would have fallen upon us; our rods would not move at all; the candles and torches, all but one, were extinguished or burnt very dimly. John Scott, my partner, was amazed, looked pale, knew not what to do, until I gave directions and command to dismiss the demons; which, when done, all was quiet again, and each man returned unto his lodging late, about twelve o'clock at night. I never since could be induced to join with any in such-like actions. The true miscarriage of the business was by reason of so many people being present at the operation, for there was above thirty, some laughing, others deriding us; so that if we had not dismissed the demons, I believe most part of the abbey church had been blown down; secrecy and intelligent operations, with a strong confidence and knowledge of what they are doing, are best for this work."

The author (we were nearly writing the immortal author) of the "Book of Nonsense" has produced an illustrated volume more akin to those by which he first engaged the attention of the public many years ago. His "Journal of a Landscape Painter in Corsica"⁹ is the same kind of book as his old books on Sicily and Calabria. That is to say, it is a rather too prolix tourist's journal, illustrated with landscapes drawn on wood in a frank and inartificial manner erring slightly on the side of baldness, but infinitely to be preferred to the more tricky mode of design popular among the book-illustrators of to-day. Rather too prolix, rather too full of detailed gossip about inns and their inmates, guides and peasants, hosts and hostesses, and a hundred odds and ends of travel, Mr. Lear's text undoubtedly is; and thus it comes to be not exempt from the taint of bookmaking, and of dimen-

⁹ "Journal of a Landscape Painter in Corsica in 1868." By Edward Lear. London: Bush. 1870.

sions not to be really read through by anybody. Nevertheless there is so much of good humour and sincerity, so much cordial enjoyment and manifest companionableness, in these records of an artist on his wanderings, that his book is one of which it would be pleasant to turn over the pages at odd moments even if it were not for the really impressive quality of some of its illustrations, *e.g.* the views of Ravella, of St. Florent, and of Borrognano. A considerable apparatus of notes and appendices on Corsican history and statistics adds something of substance to the literary part of the book, however much such addition may savour of the known processes of bookmaking.

A large quarto volume of "Architectural and Decorative Designs,"¹⁰ from the drawings of one Enrico Salandri, does not demand particular attention. The engravings (with a few exceptions) are executed with more delicacy than vigour, after various monuments of the Renaissance, many of them from the Cesia chapel at Rome, one from the Pavian Certosa, several from the Villa Pia. They consist mainly of studies in scroll-work and stone arabesque; and to these are appended a series of more modern French and English furniture designs of the ordinary drawing-room type.

The late librarian of Windsor Castle¹¹ has supplied the text to a volume of choice photographs after drawings in the Royal Collection, which is just issued by the Messrs. Macmillan. Of this book the text—plain and sensible but far from striking as it is—constitutes the least important part. Its photographic reproduction (by the new process) of twenty select drawings—three by Michelangelo, one by Perugino, four by Raphael, one by Giulio Romano, four by Leonardo da Vinci, one by Giorgione, one by Veronese, two by Poussin, one by Dürer, two by Holbein—this is its really important part. It cannot be said that these English specimens of the carbon process are by any means so good as those that have been produced abroad, and notably by M. Adolphe Braun. We are not here speaking of M. Braun's latest and greatest triumph, the magnificent and priceless series of large carbon photographs after Michelangelo's Sistine paintings, the issue of which, it is not too much to say, will be the foremost event in furtherance of the study of what is great in art that has happened since the importation of the Pheidias marbles; but of the ordinary quality of the carbon reproductions of old drawings turned out in France as compared with the quality of those turned out in England. These now before us have most of them something of the woolliness and indecision which have marked our work in contradistinction to French work with the new agents. Nevertheless the book is a valuable one, and the drawings it sets before us well selected. All three Michelangelos are admirable; there is a massive aquiline head by Leonardo of the first quality, and as it seems well rendered; a very interesting allegorical sketch of Dürer, in commenting upon which it is to be regretted that

¹⁰ "Architectural and Decorative Designs." London: Atchley & Co. 1870.

¹¹ "Specimens of the Drawings of Ten Masters from the Royal Collection at Windsor Castle." Text by B. B. Woodward. London: Macmillan. 1870.

Mr. Woodward should have suffered himself to be misled (as did also Mr. Scott in his recent book) by an ingenious Edinburgh reviewer into speculations concerning an Augusta loved in vain by the artist: speculations based on a mere misreading of "August" for Agnes.
